



NATIONAL DEFENCE UNIVERSITY-KENYA

**CONTRIBUTION OF RESPONSIVE GOVERNANCE TO PERSONAL
SECURITY: THE CASE OF CRIME VICTIMS SUPPORT SERVICES
(CVSS) IN KENYA**

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DECLARATION

I declare that this research thesis is my original work and has not been presented for a degree in any other university.

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DEDICATION

I offer this work to the ultimate source of justice, who holds deep compassion for victims of crime in Kenya and around the world. Let His voice be the foundation of Crime Victim Support Services (CVSS) in Kenya and beyond

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I recognize and remain grateful for the opportunities given to me by God through the government of Kenya as a public prosecutor from the year 2004. These opportunities have enabled me to appreciate the heart breaking challenges in our Kenyan criminal justice sector thereby passionately provoking me to conduct and dedicate this research to scrutinising personal security through the lenses of crime victims support services in Kenya. I also thank my family for being there for me by patiently enduring my absence as I toiled day and night to finalize this work. The support and encouragement of National Defence University, my research lecturer Dr. Joseph Mutungi, my supervisors Dr Dennis Ndambo and Dr Kenneth Mutuma, colleagues at work as well as my fellow course mates at National Defence College has also been invaluable.

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ABSTRACT

This study investigates the role of responsive governance in enhancing personal security for crime victims within Kenya's law enforcement and justice system. The research addresses the systemic neglect of victims' rights and evaluates governance mechanisms to propose a victim-centered approach for equitable justice. The following objectives guide the study; to examine the key principles of responsive governance that contribute to the success of crime support services, to assess the extent to which governance mechanisms in Kenya acknowledge and comprehensively serve the requirements of crime victims through the perspectives of crime victims and relevant stakeholders and to investigate strategic interventions for enhancing the efficacy of the existing governance mechanisms in addressing the needs of crime victims. The study adopted governance capacity and victim centred approach theories which integrates concepts from governance studies, victimology, and security studies to elucidate how governance mechanisms influence personal security outcomes for crime victims. Utilizing a mixed-methods approach, data was collected from 180 respondents, including crime victims, law enforcement, legal practitioners, and advocacy groups, through structured questionnaires and in-depth interviews. The study identified major gaps in the accessibility and effectiveness of victim support services, with only 33.3% of respondents finding these services easily accessible and 35.3% expressing dissatisfaction with their effectiveness. Despite progressive legal frameworks, implementation gaps persist due to lack of a clear well-resourced single institution dedicated to crime victim welfare, financial constraints, corruption, low awareness and poor coordination among agencies with complimentary mandates. A strong consensus emerged on the need for strategic interventions, including a budget increase for victim support and streamlining the justice system to reduce re-victimization and undue delays. The study concludes that inclusivity especially of crime victims, transparency, and collaboration are crucial for successful victim support programs. However, significant implementation challenges undermine these efforts, necessitating specific, measurable, and time-bound interventions to improve governance mechanisms. The study advocates for enhancing the accessibility and tailoring of support services, strengthening legal/policy/administrative frameworks, increasing funding, and improving coordination among agencies. In view of the above, the study proposes urgent establishment of a Victim Support Agency (VSA) in Kenya meant to strategically provide leadership and ensure the effective coordination and oversight of crime victim support services.

Keywords: Responsive governance, crime victims, criminal justice system, victim-centered approach.

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ACRONYMS AND ABBREVIATIONS

| | |
|---------|---|
| AIK | Amnesty International Kenya |
| CHRD | The Centre for Human Rights and Democracy |
| CSO | Civil Society Organizations |
| CID | Criminal Investigations Directorate |
| DPP | Director of Public Prosecutions |
| HRW | Human Rights Watch (HRW) |
| ICJ-K | The International Commission of Jurists- Kenya |
| IGOs | Intergovernmental Organization |
| IMLU | Independent Medico-Legal Unit |
| KNCHR | National Commission on Human Rights of Kenya |
| NACOSTI | National Commission for Science, Technology and Innovation |
| NGOs | Non- Governmental Organization |
| NPS | National Police Service |
| ODPP | Office of the Director of Public Prosecutions |
| UNODC | The United Nations Office on Drug |

CHAPTER ONE

INTRODUCTION

1.1 Introduction

This research study is a scrutiny of the personal security dimension in criminal cases through a special emphasis on crime victims. The study lays the basis for urgent need for a responsive governance approach in addressing the challenges experienced by victims of crimes who upon encountering crimes are legally entitled and duty bound to pursue of justice for purposes of seeking remedy and holding the offenders accountable. This chapter details the study's context, issue statement, goals, research inquiries, rationale, scope, and the investigation's constraints.

1.2 Background to the Study

Rule of law is critical to security. It is a fundamental tenet of governance that maintains the authority of the law. Respect for the law is essential to building a nation that is secure, peaceful, and stable. Consistent with the doctrine of legal governance, all people, organizations, and entities public and private as well as the state itself are subject to publicly announced laws (Annan, 2004). A framework for amicably and fairly settling disagreements and conflicts is provided by the rule of law. Additionally, it guarantees that everyone including those in positions of authority is held accountable for their deeds. The goal of the criminal justice system is to uphold the rule of law while fostering personal safety and security. The goal of the criminal justice system, which operates under the rule of law, is to hold criminals accountable in order to enhance public safety and internal security (Barkhuizen, 2019).

World Justice Project in their recent WJP legal rule index (WJP 2022) rankings of countries, Denmark tops the list as the best country with the strongest adherence to rule of law while Venezuela come last as the weakest. Kenya is ranked at position 104 out of 140 countries scoring below the expected average. This ranking can draw unfavourable perceptions that Kenya accountability levels for those who commit crimes within its borders are below the

expected threshold.

This study explores the law enforcement and justice system as one of the factors of legal governance with particular attention to the principle of responsive governance in protection of the rights of the crime victims. The focus is specifically the crime victim rights as the study will demonstrate that crime victims have suffered a systemic silent neglect which has occasioned perpetration of untold and undocumented injustices. This contributes to a compromised legal rule in criminal cases negatively impacting personal security of everyone which in essence compromises internal security in any country. This study also comprises a comparative analysis of entitlements for those violated by crimes as prescribed by the law versus how it compares with the factual reality experienced by these persons in their interactions with the law enforcement sector as they pursued justice.

At a global level, there is clear documented experiences of victims, victim's family, justice practitioners, scholars and rule of law proponents who have noted with concern that there exists a systemic neglect of bonafide complainants when criminal laws are violated. This has resulted to serious compromise in achieving the required quality of justice by and for victims resulting to failure to bring to account the perpetrators of crimes.

Previous studies have shown that victims of sexual assault in the United States were given the opportunity to have their cases heard in a Texas district court. The majority of victims, however, were ignorant of the hazards related to active participation in the legal process. This happened even after victim assistance providers had addressed the rights with them and that they had received written papers outlining those rights (Hill, 2019). According to a Texas research, women who had experienced domestic abuse wanted to know about the criminal justice system in different contexts and at different phases of their own journeys. These women highlighted how crucial it is to learn about the legal system by taking into account both the mental and emotional components of their experiences.

In United Kingdom, research by Aviv and Weisburd (2016) indicated that robbery victims often had their cases adjudicated in courts. Despite of the developed status of the country, majority of crime victims did not completely understand their legal rights and potential risks involved. Cognizant of the fact that efforts by victim-services providers to educate them and provide written materials exists, there remains a lack of awareness. Outcomes depicted that robbery victims in the nation demonstrate willingness to understand the criminal justice system at different phases of their experience. At the same time emphasis is on the importance of incorporating diverse aspects of their experiences, e.g. financial and practical implications, into their understanding of the legal process.

In Germany, however, Kohlberg (2021) observed that there is a clear acknowledgment among victims, their families and proponents of the legal governance that there exists victim abandonment within the law enforcement and justice sector. This has led to a systematic failure to bring perpetrators of crime to account. As an illustration, a robbery victim might find that their case is processed through the criminal justice system with little regard for their emotional needs. Most victims thus feel confused and uninformed about the legal process. Poor and inadequate understanding can lead to frustration and a sense of abandonment from the legal system thereby compromising the quality of justice experienced by victims.

In Turkey, there are concerted efforts to create awareness among victims and their families concerning constraints within the criminal justice sector. According to Jackson and Gau (2016) the said constraints have contributed to considerable hitches in achieving justice for victims. This in most cases, result in a failure to hold perpetrators accountable for their actions. Efforts by victim-support organizations to sensitize citizens on their rights, are inadequate hence many victims are left feeling overwhelmed and uninformed about the legal process.

In Japan, the present state of victim justice is defined by a system that appreciates the importance of victims' rights and needs. According to Choi et al. (2020) there has been

considerable shift towards a prioritizing victim in the law enforcement and justice system. This entails measures such as allowing victims to be regularly updated about the progress status of the legal case, requirement to make a statement before a court, and the entitlement to seek compensation for the damages, pain and suffering occasioned by the offender. Nonetheless challenges remain despite this progress. Victims in the country in most cases face obstacles in getting justice such limited support services. At the same time, there is a cultural stigma linked to being a crime victim, which can discourage victims from seeking help or reporting incidences of crime.

For the situation in India, the scope of victim justice is different across different cadres of the justice system. At the lower levels, e.g. local police stations and district courts, Parsons and Bergin (2020) noted that victims often face impediments such as delays in case processing, inadequate legal representation and insufficient awareness of their personal rights. At the higher levels, i.e. state high courts and the Supreme Court, there is a more emphasizes on legal reforms and policies to enhance justice of complainants in the criminal legal system.

Regarding Nigeria, justice of complainants in criminal cases differ considerably between Christians and Muslim religions. Overall, Amusan and Saka (2018) highlighted that victims often face constraints such as lengthy court processes and lack of awareness regarding their rights. In the north, where Islam is dominant, victims often encounter more obstacles because of influence of Sharia law. This leads to discriminatory practices and limited rights for victims, specifically to women. Similarly, Nigeria struggles with high levels of corruption within the justice system. This further hampers a victim access to justice.

In the South African setting, justice of crime victims is influenced by historical and current issues of racism. Victims of crime particularly black South Africans, often have to cope with systemic discrimination and bias within the justice system. Barkhuizen (2019) posited that this leads to unequal access to justice, limited support services, and a lack of redress for victims of

racially motivated crimes. However, concerted efforts to enhance victim justice in South Africa are ongoing which seek to address deep-seated issues of racism.

In the context of Uganda, justice for crime victims is characterized by instances of slow progress and persistent hindrances. While progress has been made to improve victim support services and streamline legal processes, notable gaps remain. Victims usually cope with obstacles e.g. limited access to legal representation, lengthy court procedures, and limited awareness about their rights. Likewise, the justice system in Uganda struggles with corruption and inefficiency. This complicates the road to justice for victims (Ruteere, 2017).

In Kenyan setting, justice to crime victim has been notably impacted by the new constitution enacted in 2010. As a result of this development, reforms were introduced aimed at enhancing support for complainants to reach justice easily. The new constitution order acknowledges in its Article 50(9) where it indeed addresses victim rights and provides a constitutional basis for victim justice. This article specifically bestows the people of Kenya through their legislators to enact legislation that gives life to the said article. It underscores the importance of considering crime victims' interests and ensuring their participation in legal proceedings. Additionally, Article 50(9) has seen development of two Acts of parliament. In the same vein, (Githinji, 2017), observes that the spirit of the 2010 constitution allowed for the creation of specialized public agencies for instance IPOA, to handle cases involving victims of police violations

In the USA, a presidential committee its landmark report (President's Commission on Law Enforcement and Administration of Justice, 1967) that victims of crime are among the topics that are most often overlooked in analysis of crime. Denton (1970) further observed that within the criminal justice system, there was limited agreement on the importance of victims and their experiences. In essence, both sources underscore that victims of crime were not adequately considered within context of crime analysis and legal governance.

1.2.1 Responsive Governance

The notion of responsive governance, which includes a set of guidelines and procedures meant to guarantee that governmental organizations are transparent, accountable, and cognizant of the demands and expectations of the public, has been thoroughly examined in the 2015 World Public Sector Report (WPSR). It emphasizes active citizen participation in decision-making processes through mechanisms like public consultations and feedback channels. Transparency is key, emphasizing openness in government actions and providing accessible information to enhance accountability. Governments must be held accountable for their actions through mechanisms like audits and oversight bodies. Responsive governance is grounded in the rule of law, ensuring government actions are citizen centred, adhere to legal frameworks, fostering fairness and justice (WPSR 2015). The emphasis of responsive governance is on promotion of transparency, accountability, active citizen participation, and observance of legal rule to ensure government actions are fair and aligned with public expectations.

Providing timely and cost-effective services is crucial for meeting the public's needs. It requires adaptability plus innovation to address emerging challenges and explore new solutions. Equity and inclusivity are central, addressing the needs of all segments of society, including marginalized populations. Effective communication fosters a clear dialogue between the government and the public, building trust and understanding. Decentralization empowers local communities in decision-making, and continuous improvement involves being open to feedback and adapting policies over time. Responsive governance varies based on cultural and institutional contexts but aims to create a governance framework focused on meeting citizens' needs while being accountable and transparent (WPSR 2015). The spirit of responsive governance is the dynamic approach that prioritizes timely, equitable, and innovative service delivery, effective communication, local empowerment, and ongoing adaptability to meet public needs and foster trust, while remaining accountable and transparent.

1.2.2 Responsive Governance and its Nexus with Victim Centred Approach in Victim Justice

Responsive governance intersects with the needs of crime victims through several key facets. Firstly, it prioritizes citizen participation and inclusivity by actively engaging victims and advocacy groups when creating programs and policies related to victim rights and support services. Victim justice, a victim-centred approach involves empowering by allowing victims to participate in the legal system. Scholars like Umbreit (1994) and others have highlighted the importance of including victims in decision-making, such as through restorative justice practices where victims are given the chance to engage in conversation and make decisions alongside offenders and other stakeholders.

Transparency is a key principle of responsive governance, ensuring openness in government actions. In victim justice, openness guarantees that victims are aware of their rights, progress of their cases and the decisions made by justice authorities. Scholars such as Kathleen Daly have explored how transparency can enhance trust in the justice system and increase victim satisfaction. Transparency and accountability are crucial aspects that ensure clear communication of rights, available services for victims, fostering trust in the government's actions and holding perpetrators accountable (Dal 2006). Governance transparency is essential because it guarantees openness, informs victims of their rights and case status, and builds victim satisfaction and the confidence of the legal system while holding offenders accountable. Respondent governance prioritizes giving individuals' access to information and services in a way that makes them easily obtainable. In victim justice, this means ensuring that victims have access to information about their legal entitlements, available support services, and the status of their cases. Scholars like John Braithwaite have discussed the importance of providing comprehensive support services to victims, including legal assistance, counselling, and financial compensation (Braithwaite 1989). In general, comprehensive assistance refers to an

all-encompassing strategy that consists of a variety of services intended to meet each person's unique set of needs. In general, comprehensive assistance seeks to offer a holistic and integrated response to guarantee that all facets of a victim's needs and recovery are met.

Justice Institutions are not exempted from being accountable. Governments must take responsibility for their actions, including their treatment of victims within the justice system. Scholars like Andrew Goldsmith have examined mechanisms for holding justice institutions accountable for their responsiveness to victims' needs, such as through independent oversight bodies and performance monitoring (Goldsmith 2005). The call for government accountability in the handling of complainants in criminal cases within the law enforcement and justice framework emerged from growing concerns about systemic issues, including inadequate support for victims, a lack of transparency, and instances of mismanagement. These issues highlighted the need for better services, transparent operations, and effective oversight to ensure justice institutions are responsive and accountable in addressing and supporting victims. Responsive governance is grounded in the legal governance, ensuring that government actions adhere to legal frameworks. In victim justice, this means ensuring that legal entitlements for victims' benefits are captured by law and that justice processes are fair and just. Scholars like Antony Duff have explored the ethical and legal dimensions of the entitlements of complainants within the enforcement and justice system, advocating for balanced approach that respects both victims' rights and accuseds' rights (Duff 2010). Upholding the rule of law guarantees legal protections for victims, including participation in legal proceedings and protection from intimidation, while efficient and effective delivery of support services addresses victims' diverse needs, including marginalized communities.

In a nutshell, responsive governance integrates the needs of crime victims by actively engaging them in policy development, ensuring transparency and accountability in government actions, upholding legal protections, and delivering efficient support services. The framework

emphasizes adaptability and innovation to address emerging challenges, while continuous improvement processes ensure that victim support programs evolve to meet changing needs effectively.

1.2.3 Meaning of Responsive Governance for this Study

Responsive governance ascribes to a governance framework that actively incorporates and addresses the needs and concerns of its citizens, particularly marginalized or vulnerable groups such as crime victims, by ensuring transparency, accountability, and inclusivity. It involves engaging citizens in policy development, providing efficient and equitable support services, and adapting to emerging challenges through continuous improvement and innovation. Support services remain the corner stone

1.2.4. Deconstructing Responsive Governance

This research is about unpacking how responsive governance operates and its impact on addressing the burdens incurred by complainants violated through criminal acts. By exploring responsive governance, the study will investigate how effectively governments incorporate and address the needs of their citizens. This involves examining the principles of transparency, accountability, and inclusivity to assess how well these principles are applied in practice, particularly in relation to victim support and justice. The components that the study will examine include citizen engagement, where the research will evaluate how victims and other stakeholders are involved in policy development and decision-making processes. Transparency will be scrutinized to understand how openly government actions and decisions are communicated to its people. Accountability strategies will be investigated to establish whether justice institutions are answerable for their actions and effectively support victims. Additionally, the research will assess the delivery and equity of support services, the adaptability and innovation of policies in response to emerging challenges, and the processes of continuous improvement in victim support programs. Through this detailed analysis, the

study aims to elucidate the effectiveness and areas for enhancement in responsive governance as it pertains to crime victims.

The literature review and the data collection and analysis will focus on components and principles of responsive governance such as citizen engagement. Effective responsive governance involves active participation of citizens in the policy development process. This includes engaging marginalized groups such as crime victims in discussions and decisions that affect their lives, ensuring their experiences, perspectives and burdens are accurately captured and considered in formulating policies and services. Awareness levels among crime victims of the available support services will be tested. Transparency will be scrutinised especially from the perspective that this is the principle that requires that government actions, decisions, and processes are conducted openly and communicated clearly to the public. Transparency helps build trust and ensures that citizens, particularly complainants in criminal cases, get communication about their legal entitlements, update of their cases and incidental law enforcement services.

Comparably, the principle of accountability is examined because governments ought to be accountable for their actions, particularly in how they handle and support victims. This involves establishing oversight mechanisms, such as audits and independent review bodies, to ensure that justice institutions are responsive and effective in their operations. Concerning legal protections, the legal and supportive incidental policy, administrative and practice frameworks will be examined noting that responsive governance upholds legal frameworks and protections for vulnerable groups. It ensures that policies and practices are fair and just, providing necessary legal support and protections to crime victims. Support services are extremely crucial as the study appreciates that providing efficient, equitable, and comprehensive support services is a cornerstone of responsive governance. This includes legal assistance, counselling, and financial compensation, enabling complainants in criminal cases receive much needed help in

a timely fair manner. The study endeavours to get the perspectives of crime victims as to their personal experiences regarding support services. On aspects of adaptability and innovation, governments must be adaptable, responding to emerging challenges and evolving needs through continuous improvement. Innovation in policy and service delivery is crucial to addressing new issues effectively and enhancing overall governance. Lastly continuous improvement in the context of responsive governance involves ongoing refinement and enhancement of policies and services based on feedback from citizens and other stakeholders. This continuous improvement process ensures that support programs and government actions remain relevant and effective over time.

1.2.5 Assessing Kenya's Responsiveness to Victim Justice

Overall, responsive governance aims to provide crime victims with the necessary support, protection, and justice within a transparent, accountable, and inclusive governance system. Assessing the responsiveness of the Kenyan government in promoting victim justice necessitates a multifaceted analysis spanning various dimensions. Firstly, the evaluation of the legal framework is crucial, considering the existence and adequacy of laws and policies specifically designed to safeguard victim rights and enable them to take part in the legal system. This encompasses examining statutes related to victim compensation, the governance structures of support services, and mechanisms enabling complainants' involvement throughout legal procedures. Secondly, the accessibility and effectiveness of avenues for victims to seek justice, including reporting mechanisms, investigation procedures, and access to legal representation, must be scrutinized. Additionally, evaluating the availability and quality of support services for victims, such as medical, psychological, and legal assistance, is paramount. Factors like funding adequacy, service accessibility, and cultural sensitivity play pivotal roles in determining the efficacy of these support mechanisms. In addition, determining the degree to which victims have the authority to engage in legal processes, voice their

concerns, seek restitution, and access case-related information is imperative for ensuring their rights are upheld within the justice system.

Moreover, accountability and oversight mechanisms are instrumental in holding government institutions responsible for addressing victims' needs promptly and effectively.

This entails evaluating the effectiveness of oversight bodies, complaint mechanisms, and monitoring systems in ensuring accountability and transparency in the delivery of victim justice services. International standards and best practices in victim justice must be considered to ascertain Kenya's compliance with conventions and guidelines governing victim rights. Furthermore, government efforts to raise public awareness about victim rights and available support services, as well as initiatives aimed at educating law enforcement agencies and justice officials, are crucial for fostering a victim-centred approach within the justice system. Finally, the availability of comprehensive data on crime victimization, access to justice, and victim outcomes, coupled with government support for research on victim issues, is essential for informing evidence-based policy formulation and practice improvements in victim justice. Overall, a nuanced assessment of these factors, coupled with stakeholder consultations, is essential for comprehensively gauging the responsiveness of the Kenyan government in promoting victim justice.

1.3 Statement of the Problem

Scholars and human rights advocates have expressed alarm about the pervasive disregard for complainants in criminal cases within the law enforcement and justice sector, which they believe is undermining the letter and spirit of legal governance. Zehr (2015) highlights how the criminal court system's indifference to victims undermines the development of a legal culture, leading to diminished public trust in justice. Sarat and Ewick (2015) explore how the disregard for victims' rights is observed through failure to implement and uphold fundamental laws, while Hatty (2012) discusses the challenges in providing adequate victim support, such

as insufficient victim-centered policies and resource constraints, which further erode the rule of law. Walklate (1998) adds that neglecting victims results in a loss of faith about the capacity of legal governance. In the Kenyan context, scholars like Hall (2018), Opondo (2019), Wanjau (2020), and Gikunda (2021) have critically examined how the system falls short of ideals in addressing victim rights and well-being. Opondo and Gikunda reveal how systemic inefficiencies and intimidation deter victims from reporting crimes, compromising justice. Wanjau's research illustrates how these issues exacerbate crime and impact victim experiences, while Hall's studies expose how systemic obstacles discourage victim participation. Together, these analyses underscore the urgent need for reforms to improve victim support and enhance system responsiveness in Kenya, with a view to reinforcing the legal rule and people's trust in justice.

Constitution of Kenya explicitly outlines rights of individuals accused of crimes, providing detailed and clear protections for them. Conversely, the rights of complainants in criminal cases are described vaguely. A careful perusal of the Kenya constitution reveals that it provides extensively in articles 49, 50 and 51 detailed rights of the accused whereas the rights of the crime victims are articulated in one small, vague sweeping sub article (9) of article 50. It almost feels as if this sub-article was added as an afterthought. This unfortunate discrepancy manifests and overshadows the operational aspects of the law enforcement and justice system through its laws, policies, procedures, and organizational cultures leading to awful neglect to the burdens and vulnerabilities experienced by those victimised by crime.

This suggests that while the legal framework gives significant attention and precision to the rights of the accused, it does not offer the same level of specificity and protection to the rights of crime victims. This constitutional imbalance against the crime victims is continually cascaded to the governance network in the practice of criminal law which results into unresponsive or ineffective governance. In this context, unresponsive governance refers to a

system or administration that fails to fulfil the entitlements of those victimised by crime. It often involves a lack of transparency, accountability, and engagement with the crime victims. This can result in policies and decisions that do not reflect the genuine experiences of those harmed by crime, leading to dissatisfaction and a breakdown in trust resulting to the tragedy of re-victimisation. A person may experience significant effects from crimes they come across. Victims of crime endure financial, emotional, psychological, and bodily harm from which they may never fully recover. Threats to harm or kill victims, witnesses, or their relatives can also occur.

An in-depth examination of Kenya's actual criminal justice system by Hall (2018), Opondo (2019), Wanjau (2020) and Gikunda (2021) indicates that it is far from the fair and efficient system that is ideal, particularly when it comes to addressing victim rights and their well-being. Opondo and Gikunda have highlighted how systemic inefficiencies and a climate of intimidation deter victims from reporting crimes, thereby compromising their access to justice. Opondo's research points to the broader impact of these issues on the system's effectiveness in meeting victim needs, while Gikunda emphasizes the challenges victims face, including insensitivity and fear of retribution. Simeon Wanjau's work further explores the ramifications of an unresponsive system on crime rates and victim experiences, showing how these systemic failures can exacerbate crime. Gillian L. Hall's studies also reveal how obstacles within the system discourage victim participation, offering insights into the broader implications for justice and crime prevention. These sources underscore the urgent need for reforms to enhance crime victim support and system responsiveness in Kenya.

This study therefore seeks to change this trend by exploring and highlighting the concept of responsive governance and the regimes available that can offer the requisite support to crime victims. According to UNODC, victims who receive proper and sufficient care and assistance are more inclined to cooperate with law enforcement contribution to reduction of crimes.

1.4 Research Objectives

1.4.1 General Objective

The general objective of this study is to review the contribution of responsive governance to personal security utilizing a case of crime victim support services (CVSS) within Kenya.

1.4.2 Specific Objectives

The research objectives include;

- i) To examine the key principles of responsive governance that contributes to the success of Crime Victims Assistance Programmes (Victim Support Services)
- ii) To assess the extent to which governance mechanisms in Kenya are responsive to the needs of crime victims.
- iii) To investigate strategic interventions for enhancing the efficacy of the governance mechanisms in addressing the needs of crime victims.

1.5 Exploratory Inquiries

The following investigative queries guide the study;

- i) What are some key principles that underscore responsive governance that contribute to the success of crime victims' assistance programmes (Victim Support Services)?
- ii) How do crime victims and relevant stakeholders perceive the attentiveness of the existing governance mechanisms to the concerns of those victimised by crime in Kenya?
- iii) In what ways would strategic interventions enhance the efficacy of the existing governance mechanisms in resolving the diverse demands of crime victims?

1.6 Justification of the research

Justification for this exploration targets three beneficiaries of the findings, namely those victimised by crime, policy makers within the law enforcement system and academia.

1.6.1 To those Victimised by Crime

Research keen on responsive governance with a victim-centred approach can significantly

enhance law enforcement and justice system by prioritizing the needs and experiences of complainants in criminal cases. This research can lead to the development of improved policies, procedures, and support services that directly address the challenges victims face, such as access to legal assistance, mental health support, and victim advocacy. By identifying gaps in existing services and raising awareness among law enforcement and judicial personnel, research spurs an authentic, empathetic and pragmatic support to victims, causing them to receive the care and attention necessary for their recovery and participation in the justice process.

Additionally, this research can drive systemic reforms by providing evidence-based recommendations that address issues like victim intimidation, procedural delays, and insensitivity. By strengthening reporting mechanisms, enhancing victim participation, and increasing institutional accountability, a victim-centred approach can create a more transparent and supportive justice system. Furthermore, raising public and institutional awareness through research can garner broader support for victim-centred reforms, ultimately leading to a just law enforcement framework that is alert to the vulnerabilities of those victimised by crime and respects their voices throughout the process.

Government support for crime victims is essential as it reflects commitment to justice, legal rule and the well-being of citizens. By providing necessary assistance, such as legal aid, counselling, and protection, governments ensure that victims are not further disadvantaged, uphold their rights, and promote fairness. This support encourages greater participation in the justice process, resulting to people's confidence in the legal system, and aiding in crime prevention. Additionally, it helps victims recover and reintegrate into society, highlighting the government's moral and ethical responsibility to care for those harmed by crime.

In this study crime victims are referred by several terminologies. In various jurisdictions and fields, alternative terms are used to describe individuals affected by crime, each reflecting

different legal, cultural, or social perspectives. Terms like "*survivor*" and "*survivor of crime*" are often used in cases of violent crime, emphasizing resilience and recovery. Legal contexts prefer terms like "*complainant*" or "*claimant*" to denote individuals initiating legal actions, while "*affected party*" or "*harmed individual*" offer neutral alternatives that avoid the connotations of helplessness. Additionally, "*injured party*" is frequently used in legal documents, and "*witness*" refers to those providing testimony in trials, even if not directly victimized. The terminology varies to reflect a shift from passive victimhood to active recovery and participation.

1.6.2 To the Policy Makers

This study's findings can provide policy makers with evidence-based insights into the impact of good responsive governance in protection of victim rights for purposes of bolstering fair administration of justice. The relationship between responsive governance and fair administration of justice can inform the design and allocation of resources for effective formulation of victim assistance programs. Understanding the key factors contributing to the success of victim assistance programs can guide policy makers in implementing targeted interventions to improve preservation of legal entitlements of those victimised by crimes and legal governance in general. Analysis of perceptions from various stakeholders will aid in identifying strengths and weaknesses, leading to data-driven policy decisions and program enhancements.

1.6.3 To the Scholarly Community

Academicians and researchers will find the findings of this research worth considering as it reveals how good responsive governance positively upholds victim's legal entitlements in the legal governance. The nexus of responsive governance and the preservation of legal entitlements of those victimized by crime advances our understanding of crime victim aid outcomes and program efficacy to advance the legal governance.

Identifying key principles that contribute to the success of victim assistance programs adds to the body of knowledge that promotes law enforcement, justice and legal governance. Additionally, the analysis of perceptions from crime victims, victim's families, police officers, lawyers, prosecutors and judicial officers and relevant stakeholders regarding the strengths and weaknesses of victim assistance initiatives in Kenya, can offer valuable insights into responsive governance of victim's rights and recommendations for future research in similar settings.

1.7 Significance of the Study

The UN established definition of a victim and their entitlements in its 1985 Declaration. The Declaration urges actions to be done on behalf of criminal victims at the national, regional, and international levels in order to increase their access to fair treatment, restitution, compensation, and support. The domestication of this declaration into the operation of the current Kenyan criminal procedures, processes, and laws is yet to be fully realized. The study identifies a number of challenges that Kenyan crime victims face that discourage them from cooperating with security agencies, including the inadequate and unresponsive governance of the country's legal and justice framework, the lack of specialized victim support organizations, and inadequate training that would have allowed criminal justice professionals to be victim sensitive. This disregard for victims leads to many victims dreading to report crimes and or abandoning and neglecting their duty to report crimes which results in most perpetrators not being held accountable, which raises the risk to human security and ultimately weakens national security.

The potential impact and importance of this investigation and its analysis are profound, particularly regarding fields of justice and security. By highlighting the existing deficiencies in how the justice system prioritizes offenders over victims, the study provides a critical examination of the gaps in victim support and protection. If policymakers and criminal justice professionals take heed of the study's recommendations, it could lead to significant reforms in

the justice system, ensuring that victims' rights are more fully integrated into legal processes. This inquiry, could influence the development of new policies and legislation in the justice and security sectors that prioritize victim support, ensuring that victims are not only heard but are also active participants in the justice process. This would address the current lack of victim-sensitive approaches and could lead to the establishment of specialized victim support organizations, improved training for law enforcement and judicial personnel, and more responsive governance in handling crime cases. Such changes could foster greater trust in the justice system, encouraging more victims to report crimes and engage with the legal process, which is essential for holding offenders accountable. In terms of security, the study's emphasis on the role of victims in the justice process underscores the broader implications for human and national security. By ensuring that victims are supported and that their cooperation with law enforcement is encouraged, the study could contribute to a reduction in crime rates, as more perpetrators would be held accountable. This, in turn, would enhance human security by reducing the threat posed by unpunished criminal activities. Moreover, the findings could lead to a more secure and law-abiding society, where the adherence to legal norms is strengthened, ultimately contributing to national security both in Kenya and globally.

This study is therefore perceived as a persuasive and urgent plea to policymakers that they must recognize that victims play a crucial part in the justice system for crimes at all stages, especially registering a complaint, giving oral evidence in a court of law, and formulating a personal expression of victimisation of the crime in question. This role improves human security not only in Kenya but also within the region and amongst nations of the world. The objective of this study is to ensure that criminal justice professionals will develop policies, guidelines, legislation, victim sensitive training programs and victims support services organizations so that victims are supported by rights to information, participation, protection, and seeking reparation.

1.8 Presumptions of Research

Several fundamental assumptions underlined the research as guided by the research objectives. To begin with, the study assumed that the data gathered from diverse sources such as literature, interviews, and empirical analysis was accurate, dependable, and representative of the requisite principles that underscores successful establishment of crime victim support services. Secondly, it was also assumed that the research captured in an accurate manner the perspectives of crime victims and stakeholders as to the extent to which governance mechanisms in Kenya attends to the vulnerabilities suffered by those harmed by crime. Finally, there was the assumption that the recommended strategic interventions and ramifications drawn from the study's discoveries would be taken into account within the broader arena of policy making and decision shaping. Against these assumptions, it was anticipated that policymakers, stakeholders, and relevant institutions would recognise the significance of the insights proffered and would actively engage in constructive endeavours to tackle the problem of neglect of crime victims in Kenya thereby inspiring other nations as well.

1.9 Research Scope

This study is focused on assessing the existing governance framework that addresses specific needs of crime victims, on identifying key principles that contribute to success of victim assistance programs and finally analyse the perceptions of crime victims and relevant stakeholders regarding the benefits and drawbacks of victim assistance endeavours in Kenya. The study assessed the contribution of responsive governance to personal security, focusing on crime victims in Kenya, encompasses various dimensions of governance mechanisms and their impact on the security and well-being of individuals affected by crime. This entailed examining the existing governance frameworks, policies, and institutional structures relevant to victim support services in Kenya, the principles of responsive governance and their application to personal security for crime victims. Drawing on theoretical frameworks such as Governance

capacity and victim centered theories, the study explored concepts of inclusivity, transparency, victimology, flexibility, and collaboration within governance mechanisms. Through qualitative research methods such as interviews, and document analysis, the study examines how these principles are operationalized in practice and their impact on victim experiences.

Furthermore, the study considered the perspectives of various stakeholders, including crime victims themselves, government officials, law enforcement agencies, legal practitioners, healthcare providers, and non-profit organizations. By incorporating diverse viewpoints, the study captured the complexities of governance dynamics and their impact on personal security outcomes for crime victims in Kenya. Adopting a multi-dimensional approach that integrates theoretical insights with empirical evidence and stakeholder perspectives, the research offers a comprehensive understanding of the role of governance in promoting personal security for those victimized by crime within the context of Kenyan context.

1.10 Limitations of the Study

One limitation of this exploration was the potential for sampling bias. Likewise, diversity of experiences among Kenyan crime victims may not have been fully captured due to logistical and scheduling limitations. For example, certain demographic groups or geographic regions might have been overrepresented or underrepresented in the sample, leading to incomplete or skewed findings. In view of the above, this inquiry sought to cure the said setbacks by utilizing varied sampling and endeavored to include a wide range of perspectives from different segments of demographic.

The constraint of availability and reliability of data was observed. In Kenya, data collection efforts related to crime victimization and governance responses might be limited or inconsistent, posing challenges to conducting a comprehensive analysis. Additionally, there might have being issues of data quality, such as inaccuracies or discrepancies in reporting, which could have affected the scientific rigor of this research. In addressing these limitations,

this exploration utilized multiple data sources, triangulates information where possible, and critically evaluated the reliability of available data.

1.11 Chapter Summary

This study examines the personal security of crime victims within the enforcement and justice framework, emphasizing need for responsive governance that addresses the systemic neglect of victims' rights. It explores how the legal rule, essential for nation's security, often fails to adequately protect crime victims, thereby weakening public safety and internal security. Through comparative analysis across various jurisdictions, the study highlights the global issue of victims' marginalization in legal processes, despite existing laws and reforms. In Kenya, the 2010 Constitution brought significant legal changes aimed at enhancing victim rights, but challenges persist. Overall, the study advocates for a stronger, victim centred approach in criminal justice to ensure accountability and equitable justice.

This section explores the concept of responsive governance, which emphasizes transparency, accountability, citizen participation, and adherence to the rule of law in government actions, particularly in relation to crime victims. It examines how responsive governance integrates the needs of victims by involving them in policy development, ensuring clear communication and access to support services, and holding justice institutions accountable. The study will assess Kenya's responsiveness to victim justice by evaluating legal frameworks, accessibility to justice, effectiveness of support services, and oversight mechanisms. Additionally, it will consider international standards, public awareness initiatives, and data availability to determine how well Kenya upholds victim rights and promotes a victim-centered approach within its justice system.

This study examines the significant shortcomings of the Kenyan legal governance particularly its inadequacies in preserving and restoring those injured by crime. It highlights constitutional imbalance where the rights of the accused are extensively detailed, while victims' rights are

vaguely addressed, leading to systemic neglect in policies, procedures, and governance. The research underscores the negative consequences of this neglect, such as victims' reluctance to report crimes due to intimidation and systemic inefficiencies, which ultimately erode public trust in the justice system. Through a comprehensive analysis of Kenya's governance mechanisms, this study aims to identify the principles of responsive governance that can improve victim support services and enhance personal security. By incorporating diverse stakeholder perspectives, the study offers evidence-based recommendations for policy reforms that prioritize victim rights and foster a more just and responsive criminal justice system.

However, the study faces certain limitations, such as potential sampling bias and deficiencies of data. The diversity of experiences among Kenyan crime victims may not be fully captured due to logistical constraints, and data collection efforts in the region might be limited or inconsistent. These issues could affect the comprehensiveness and validity of the findings. To mitigate these limitations, the study employed diverse sampling strategies and utilized multiple data sources to ensure a more accurate and representative analysis. In spite of these challenges, the research provides meaningful revelations of key essentials of responsive governance that build capacity to resolve and lift off the burdens that oppress those victimized by crime and also offers a persuasive call for transformation in the Kenyan legal governance.

CHAPTER TWO

LITERATURE REVIEW

2.1 Introduction

This chapter section discusses the empirical and theoretical review in tandem with the study objectives. The protection and support of crime victims are fundamental aspects of any just and equitable society. In Kenya, as in many other countries, the governance framework for safeguarding the rights and well-being of crime victims plays a crucial role in ensuring justice and recovery for those affected by criminal acts. To enhance this framework and better support victims, it is imperative to delve into the existing literature, identify research gaps, and understand the principles that underpin effective victim assistance programs, explore stakeholder perspectives, and assess the responsiveness of the current governance structure. This thorough review of the literature aims to shed light on the advantages and disadvantages of victim assistance programs in Kenya, identify the key success factors, consider the viewpoints of various stakeholders, and highlight any knowledge gaps regarding these vital components.

By doing so, it underscores the importance of adopting a victim-centred approach and addressing research gaps to ensure that the governance framework in Kenya is responsive and effective in protecting crime victims.

2.2 Theoretical Review

Personal security ought to be prioritized by governments for all citizens amongst nations but it isn't. Feeling safe and protected is a basic human need. However, many groups continue to experience threats to their personal security on a regular basis. One such group is crime victims, who often suffer repeated victimization even after reporting crimes to authorities. In Kenya, crime victims face numerous challenges in achieving personal security and accessing justice. Issues like corruption, lack of resources, and weak governance structures undermine

responsiveness and allow criminals to operate with impunity. Improving governance capacity and institutions are critical for enhancing the personal security of vulnerable groups like crime victims.

This review analyzes the potential contribution of responsive governance to personal security in Kenya using two key theories Governance Capacity Theory and Victim Centered Theory. The proponents, merits, and shortcomings of each theory are brought forth as relevant to the case of crime victims support services in Kenya.

2.2.1 Governance Capacity Theory

Pioneering governance capacity theorists like Finer, Friedrich, and Waldo highlighted state capacity deficits undermining policy delivery across multiple dimensions - fiscal, administrative, political, legal, coercive, and infrastructural. Contemporary proponents have expanded on the determinants, dimensions, and consequences of limited governance capacity. Fukuyama examines how state capabilities enable institutional strength and governance outcomes. Otwin Marenin focuses on operational policing capacities. Rotberg's work on nation states' performance reveals how provision of security underpins legitimacy and political stability. Grindle argues governance capacity deficits reinforce historical patterns and path dependencies constraining reforms in developing countries (Partelow et al., 2020). The theory foregrounds expertise, infrastructure and technologies, funding, human resources, legitimacy as well as coordination and accountability mechanisms as key capacity determinants. Limited governance capacity prevents coherent, resourced, and integrated policy implementation.

Examining multi-dimensional governance capacity barriers provides practical insight into challenges facing crime victims in Kenya. Police lack infrastructure, forensic expertise, and technologies to conduct investigations. Prosecutors are overburdened and underequipped to prepare cases. Courts face extensive backlogs and delays as well as infrastructural constraints and staff and judge shortages. Prisons also have chronic deficiencies. Cumulatively this enables

criminals to threaten victims with repeat victimization. Analyzing capacity deficits reveals priority areas for reforms expertise development, procedural clarity, infrastructure and technology upgrades, increased personnel and streamlining of institutions to enhance preventative and responsive capacities (Andrijevic et al., 2020). Integrated approaches addressing diverse capacity barriers can enable responsive governance.

However, the theory tends towards institutional determinism without considering political and societal contexts shaping governance priorities and reformer commitment. Power relations and elite incentives influencing resource allocation decisions that concentrate state capacity disproportionately on powerful societal groups while deprioritizing vulnerable groups' needs. Reforms may be obstructed or sabotaged by politically influential elements. Sustaining meaningful capacity building requires first addressing the political settlements and social value commitments that produce governance institutions lagging in protecting marginalized groups (Ciplet, 2021). Technical capacity building alone cannot enable victim-centric responsive governance without conscious efforts by state and civil society actors to reorient governance towards equitable security and justice.

2.2.2 Victim Centered Approach Theory

The significance of identifying and being alert to injuries caused to persons who gets injured by criminals within the legal governance framework has been underscored by scholars of victim-centered theory. They support the legal rule that is responsible for treating complainants with empathy in criminal cases in a comprehensive manner. By centering victims' experiences and voices, this theory aims to create a more responsive, compassionate, and effective system of justice.

Some of the key points articulated by scholars in this field include recognition of Victims' Rights. Scholars highlight the significance of acknowledging victims as rights-holders within the legal system. This includes advocating for legal frameworks that guarantee victims' rights

to information, participation, protection, and restitution enabled by the law enforcement and justice infrastructure. Marlene is a prominent scholar known for her work on victimology and victim-centered approaches to justice. She has written extensively on topics such as victims' rights, victim-offender mediation, and restorative justice. She has emphasized importance of recognizing those aggrieved by crime as active participants in the legal process and ensuring that their voices are heard and their rights upheld. Marlene work on victim rights emphasizes the necessity of fair and equal treatment for victims within the justice system dealing with crimes, advocating for their rights to information, participation, protection, and support. She underscores the importance of providing complainants with prompt and accurate communication, ensuring safety and well-being, and granting them access to personalized services such as counseling and financial assistance. Additionally, Young stresses the significance of holding criminals responsible for their criminal acts while being required to facilitate victims with restitution and compensation for the harm they have endured. Through her advocacy, she seeks to empower victims to assert their rights and regain restoration.

Secondly, Victim-centered theory emphasizes the empowerment of victims, allowing them to assert agency and control over their experiences within the legal system. Scholars argue that empowering victims to actively participate in legal proceedings can lead to greater satisfaction with the justice process and outcomes. John Braithwaite, a prominent sociologist and criminologist known for his work on restorative justice and responsive regulation, emphasizes the importance of empowering victims and communities in the justice process. He argues that empowering victims to actively participate in legal proceedings can lead to greater satisfaction with the justice process and outcomes. Braithwaite's research highlights the transformative potential of practices, whose aim is to repair the harm caused by crime and restore relationships between victims, offenders, and communities. By giving victims a voice and a role in the resolution of their cases, restorative justice processes empower them to assert agency and

control over their experiences within the legal system. This approach not only enhances victims' satisfaction with the justice process but also promotes healing, reconciliation, and the prevention of future harm.

Thirdly, many scholars advocate for the integration of restorative justice principles into victim-centered approaches. Restorative justice emphasizes repairing the harm caused by crime and restoring relationships between victims, offenders, and communities. By prioritizing dialogue, healing, and accountability, restorative justice practices align with the goals of victim-centered theory.

Fourthly, Trauma-informed practices within the law enforcement and justice infrastructure are designed to recognize and address the impact of trauma on victims of crime. These practices aim to create environments that are supportive and sensitive to the needs of victims, helping to minimize re-traumatization and providing appropriate services and accommodations. Several scholars have been instrumental in advancing the understanding and implementation of trauma-informed practices. Trauma-informed practices within legal governance recognize profound psychological not to mention physical effects of trauma on victims, emphasizing the importance of creating safe and supportive environments. This involves training personnel to recognize signs of trauma, using trauma-sensitive language, and being mindful of power dynamics to minimize re-traumatization. Comprehensive support encompasses counseling, legal guidance, health management, and fiscal assistance are provided to help victims cope with the aftermath of their trauma, ensuring these services are accessible and tailored to individual needs. Additionally, empowering victims by allowing them to have a voice in the process and make decisions about their involvement helps restore a sense of control and agency often lost during victimization.

Judith Herman is one of the leading figures in the field of trauma studies and her seminal work on trauma and recovery, lays the foundation for understanding trauma's effects and the

importance of recovery in a supportive environment. Her research underscores the need for safety, remembrance, and mourning, and reconnection for trauma survivors, which translates into the need for trauma-informed practices within justice systems (Herman 1992). Another key scholar is van der Kolk whose work, explores how trauma affects the brain and body. His findings highlight the need for trauma-informed care that addresses both psychological and physiological aspects of trauma, influencing how justice systems approach and treat victims (Van der Kolk 2014).

Kaukinen (2014) is Known for her work on the intersection of trauma and criminal justice. Kaukinen emphasizes the importance of trauma-informed responses in law enforcement and judicial proceedings. She has published extensively on how trauma-informed practices can improve victim cooperation and outcomes in the justice system. Campbell (2006) is a notable researcher whose work has significantly contributed to the understanding of sexual assault victims and the criminal justice system's response. Campbell advocates for trauma-informed approaches that include understanding victim trauma responses, providing supportive services, and training professionals in the justice system to be sensitive to the needs of trauma survivors. Sandra L. Bloom is a prominent figure in the field of trauma-informed care, known for developing the Sanctuary Model. As a psychiatrist and creator of the Sanctuary Model, Bloom (2013) has developed frameworks for trauma-informed care in various systems, including justice. Her work emphasizes creating organizational cultures that are trauma-sensitive and supportive of both victims and staff. Trauma-informed practices within the criminal justice system aim to create supportive and sensitive environments for crime victims, minimizing re-traumatization and providing comprehensive services. Key aspects include recognizing the profound effects of trauma, creating safe environments, minimizing re-traumatization through careful structuring of interactions, offering comprehensive support services, and empowering victims by giving them a voice in the process. Prominent scholars like Judith Herman, Bessel

van der Kolk, Catherine M. Kaukinen, Rebecca Campbell, and Sandra L. Bloom have advanced the understanding and implementation of these practices. Their work emphasizes the need for trauma-sensitive approaches in law enforcement, court procedures, correctional facilities, and victim services to enhance victim cooperation, satisfaction, and recovery within the justice system.

Lastly, Victim-centered theory underscores the need for comprehensive support services to address the diverse needs of victims. This includes access to counseling, advocacy, legal assistance, financial compensation, and other forms of support to help victims navigate the criminal justice process and rebuild their lives in the aftermath of crime. Victim-centered theory emphasizes the necessity of providing comprehensive support services to address the multifaceted needs of crime victims within the criminal justice system. Scholars such as Andrew Karmen underscore the importance of holistic victim support, advocating for access to counseling, legal aid, financial assistance, and advocacy to aid victims in navigating the complexities of the justice process and rebuilding their lives (Karmen, 2015). Judith Herman's seminal work on trauma emphasizes the creation of supportive environments tailored to survivors' psychological and emotional needs, highlighting services that ensure safety, facilitate mourning, and foster reconnection (Herman, 1992). Rebecca Campbell's research on sexual assault victims emphasizes trauma-informed approaches within the justice system, stressing the significance of understanding trauma responses and offering comprehensive support services like counseling and medical care (Campbell, 2002). Sandra L. Bloom's Sanctuary Model advocates for systemic changes to institutionalize trauma-informed care, ensuring both victims and staff receive comprehensive support, including mental health services and community support (Bloom, 1997). Catherine M. Kaukinen's work addresses the intersection of trauma and criminal justice, emphasizing the need for legal governance that is equipped with resources such as legal assistance and counseling to effectively support victims

(Kaukinen, 2002). Collectively, these scholars advocate for a holistic support system within the legal rule framework, stressing importance of trauma-informed care in the context of comprehensive services to facilitate the recovery and empowerment of crime victims.

2.3 The Key Principles of Responsive Governance that Contribute to the Success of Victims Assistance Programs (Victim Support Services)

Human rights activists and academics have expressed worry about the systemic disregard for crime victims, which threatens the culture of rule of law. Leading authority on restorative justice, (Zehr, 2015), explains how the criminal justice system's disregard for victims impedes the growth of a culture that upholds the rule of law. Victims are often side-lined, which can erode trust in the legal system. Similarly Sarat and Ewick in their article explore the relationship between justice, power, and the neglect of crime victims. It highlights how the neglect of victims' rights can be seen as a violation of fundamental human rights. Additionally, Hatty, S. E. (2012), discusses the challenges in providing adequate support to crime victims, including resource limitations and a lack of victim-centred policies. Such challenges contribute to the neglect of victims and undermine the rule of law culture. Organizations that support victims of crime are essential in drawing attention to the mistreatment of these individuals and fighting for their legal rights. This article addresses the need for a more victim-oriented strategy and the uncertainty surrounding victimization (Walklate 1998). The rule of law is negatively impacted when victims of crime are neglected. When victims are not adequately supported and recognized, it erodes trust in the legal system and its ability to provide justice.

Victim assistance programs are essential for providing support to individuals who have experienced victimization, whether from crime, disasters, or other traumatic events. These programs play a critical role in helping victims rebuild their lives and regain a sense of control and well-being. A comprehensive literature review on the key principles contributing to the success of victim assistance programs reveals a wealth of knowledge and research in this field.

It reveals a set of fundamental principles that underpin effective victim support. First, there is the accessibility principle, which states that anyone in need of assistance should have easy access to victim assistance programs. This comprises services that are culturally and linguistically sensitive, are geographically accessible (available in multiple locations), and are financially accessible (affordable or readily available for free). According to (Kilpatrick, 2013) it is essential to have access to victim aid programs and victims ought to have simple access to services regardless of their location or socioeconomic standing.

The other essential principle is that of embracing some essential values particularly empathy and respect; confidentiality; empowerment and cultural competence. Programs should treat victims with empathy and respect, acknowledging their feelings and experiences. There is then the crucial need for professional skills that build trust and a safe, non-judgmental environment to enable victims to open up and seek help (Foa, 2016). Concerning confidentiality, victims need to know that, to the extent permitted by law and morality, their information will be kept private. This promotes a feeling of security and confidence according to (McCammon, 2007). The other core value is empowerment. Empowering victims to make decisions about their recovery is crucial. Developing knowledge, access, and self-awareness of one's own skills and then using that power to bring about positive change is what empowerment entails (Dunn, 2007). The other value is cultural competence while dealing with victims of crimes. Regarding crime victims, it is crucial to understand and accept cultural variations. (Ng, 2009) proposes that programs must be culturally competent and cognizant of the particular difficulties that victims from various backgrounds could encounter.

The multidimensional nature of victim assistance programs and their importance in addressing the needs of victims requires an equally vibrant and responsive implementation strategy. The strategy espouses essentials of trauma informed care; comprehensive services, individualized support, collaboration, prevention and education, sustainability, legal support and community

engagement. According to the (NationalCenterforVictimsofCrime, 2008) comprehensive victim assistance programs offer a variety of services espousing social, legal, psychological, and medical care, to address the complex requirements of victims.

One important aspect of victim aid is creating support plans that are specific to each victim's requirements. This acknowledges that every victim's experience and road to rehabilitation are distinct (Finkelhor, 2018). Delivering a comprehensive approach to victim support requires collaboration with other agencies and organizations (Cronin, 2019). Coordinated efforts can lessen redundancy and avoid service delivery gaps. Victim programs are also becoming more involved in prevention and education initiatives in addition to providing aid to lessen the likelihood of future victimization. Community outreach, awareness campaigns, and educational initiatives fall under this category (Resick, 2002). Engaging the community in supporting victims and preventing future victimization is essential. This involves building a network of support and raising awareness (Viswanathan, 2012). It is noted that many victims require legal assistance, such as help navigating the criminal justice system or obtaining restraining orders. Providing access to legal support is often a central aspect of victim assistance (O'Connell, 2005). It is essential to guarantee victim support programmes' long-term viability.

To ensure this, it is necessary to provide consistent funding, conduct regular staff training, and create policies and processes that are resilient to shifts in leadership (Green, 2010).

The principles revealed by the above stated literature include accessibility, empathy and respect, trauma-informed care, confidentiality, comprehensive services, individualized support, empowerment, collaboration, prevention and education, quality assurance, cultural competence, sustainability, legal support, and community engagement. These key principles identified in the literature reflect the importance of providing victims with access to services that are easily accessible, sensitive to their unique needs, and delivered with empathy and

respect. Trauma-informed care recognizes the profound impact of trauma on victims and guides service providers in delivering appropriate support. Confidentiality and comprehensive services are essential for building trust and addressing victims' diverse needs. Moreover, individualized support plans, empowerment, collaboration, and prevention efforts are crucial in tailoring assistance to the specific circumstances of each victim. Quality assurance, cultural competence, sustainability, legal support, and community engagement enhance the effectiveness and reach of victim assistance programs.

Furthermore, research on the resilience and coping strategies developed by victims can shed light on the factors contributing to their recovery and inform more effective support mechanisms. Assessing the role of legal and policy frameworks in program effectiveness is essential, as these frameworks can either facilitate or hinder victim assistance initiatives. Cross-cultural studies provide insights into the impact of cultural factors, while researching the economic aspects of victim assistance programs informs resource allocation and sustainability. Collaboration and coordination between victim service organizations and other agencies should be explored to enhance support, and evaluating prevention efforts can contribute to reducing victimization. Finally, with the growing impact of climate-related events, understanding the specific challenges faced by victims of environmental disasters and tailoring assistance programs to address these challenges is essential in the context of environmental victimization. Bridging these research gaps will lead to a more comprehensive understanding of victim assistance programs, ultimately improving the support provided to victims and their families. Researchers, policymakers, and practitioners should collaborate to address these gaps and advance the field of victim assistance.

2.4 Responsiveness of Governance Mechanisms in Kenya to the burdens of Crime Victims

There is a diverse range of perspectives regarding benefits and deficiencies of programs that support victims. Stakeholders, such as crime victims, their families, law enforcement officers,

legal professionals, and judicial officials, hold varying opinions based on their experiences and roles. Initiatives for victim support are usually viewed as crucial to improving crime victims' access to justice in Kenya. These programs give victims the assistance and tools they need to deal with the legal system (UNODC, 2018). Victim assistance programs in Kenya are generally acknowledged for their positive contributions in enhancing access to justice for crime victims. These programs facilitates complainants in criminal cases to enable them effectively navigate the legal system and access the support they need, whether it's through legal representation or other essential services.

One of the strength lies in the emotional and psychological support provided by these initiatives. Recognizing the profound trauma experienced by victims and their families, victim assistance programs offer a vital lifeline in addressing these emotional and psychological challenges, aiding in the healing process. Victims and their family frequently value the counselling and psychological help that many victim assistance programs provide. This aids in treating the psychological damage brought on by victimization (UNODC, 2018).

Furthermore, these initiatives also contribute to raising awareness about victims' rights and the importance of victim support within the justice system. This is seen as strength in promoting a victim-centred approach (Omondi, 2013). Raising awareness is a pivotal step in ensuring that victims are aware of their rights and that the broader community understands the importance of victim support.

Collaboration is another key strength, as victim assistance programs often involve a network of stakeholders working in tandem. Effective victim assistance programs often involve collaboration among various stakeholders, including the police, lawyers, and judicial officers. This collaboration is generally seen as strength in ensuring a coordinated response to victims' needs (Nyamori, 2018). This collaborative effort helps ensure a coordinated response to victims' diverse needs, enhancing the efficiency and effectiveness of the services offered.

Moreover, the provision of legal aid and advice is considered a significant strength of these programs. Victims' rights are protected and upheld through the provision of appropriate legal representation, which is crucial in navigating the complex legal landscape in Kenya. Victims can learn their legal rights and options with the assistance of numerous programs that offer legal aid and consultation. This is regarded as a major asset for guaranteeing victims have competent legal counsel (Chikoko, 2013). Despite these strengths, there are several notable weaknesses in the victim assistance landscape in Kenya. One significant challenge is the limited availability of resources, both in terms of finances and human resources. These limitations can hinder the effectiveness of these initiatives, particularly in reaching and assisting all victims in need. A prevalent shortcoming is the restricted availability of financial and human resources necessary to sufficiently implement victim assistance initiatives. This may reduce these programmes' efficacy (Omondi, 2013).

Lack of awareness among victims and stakeholders about the existence and scope of victim assistance programs is another prominent weakness. This results in the underutilization of services, leaving many victims unaware of the support available to them. Some victims and stakeholders may lack awareness of the existence and scope of victim assistance programs, leading to underutilization of these services (Nyamori, 2018). Coordination among different stakeholders, while recognized as strength, often faces challenges, leading to communication and cooperation issues. These challenges can impede the seamless delivery of victim assistance services. Coordinating amongst several stakeholders can be a challenge, even while teamwork is strength. Lawyers, judges, and police officers could have trouble communicating and working together (Kamuren, 2015).

Additionally, some stakeholders perceive that Kenyan laws and policies do not provide adequate protection and support for crime victims. This inadequacy can leave victims feeling unprotected and underserved. There can be beliefs that Kenyan laws and regulations don't give

crime victims enough safety and assistance. As far as victims and their families are concerned, this can be a serious vulnerability (Chikoko, 2013). Stigmatization of crime victims and their families remains a pressing concern, deterring some from seeking assistance due to fear of societal attitudes and discrimination, underscoring the need for improved societal perceptions and support. Crime victims' and their families' stigmatization is still an issue. Some victims could choose not to ask for help out of concern for prejudice and attitudes in society (Omondi, 2013).

Geographical and financial accessibility issues also pose significant barriers, particularly for victims in rural areas who may struggle to access assistance services. Many victims, particularly those who live in rural areas, may find it difficult to access victim assistance programs both financially and geographically. The programmes' inclusion is impacted by this constraint (Nyamori, 2018). The effectiveness of witness protection programs is often perceived as inadequate, leaving witnesses and victims at risk in high-stakes criminal cases. Particularly in cases involving significant criminal consequences, the efficacy of witness protection programs may be deemed insufficient. Inadequate safety precautions may put victims and witnesses in danger (UNODC, 2018). Lengthy legal processes and delayed justice further compound the challenges faced by victims and stakeholders, contributing to frustration and concerns regarding the efficiency of the legal system. According to (Kamuren, 2015), protracted legal proceedings and postponed justice can frustrate victims as well as other interested parties, such as lawyers and judges.

Constraints pertaining to data on victim assistance programs in Kenya hampers the assessment of their impact and potential areas for improvement. There is little data on how successful victim support programs are in Kenya. Evaluating the impact of these programs is difficult due to a paucity of data and analysis (Chikoko, 2013) . Lastly, one problem in the execution of victim aid programs that is frequently pointed out is the requirement for ongoing training and

capacity building of stakeholders, including the police, lawyers, and judicial officers (Omondi, 2013). In summary, while there may not be specific literature on the perceptions of all relevant stakeholders regarding victim assistance initiatives in Kenya, these general insights suggest both strengths and weaknesses in the existing programs. To comprehensively evaluate these initiatives, more research and data collection are needed, along with a focus on enhancing resources, coordination, awareness, and legal protections to better serve crime victims and their families in Kenya.

Research gaps in understanding stakeholder perceptions of victim assistance programs in Kenya highlight the need for more comprehensive and inclusive research. Firstly, there is a call for empirical research that directly captures the perspectives of various stakeholders through methods such as surveys, interviews, and focus groups, providing deeper insights into the strengths and weaknesses of these initiatives. Furthermore, inclusivity is essential, as the existing literature may not fully represent the perspectives of all relevant stakeholders, including community leaders, healthcare professionals, and civil society representatives. Comparative studies across different regions can shed light on regional disparities in program effectiveness, allowing for more tailored support. Understanding the intersectionality of victim identities, as related to gender, age, disability, and sexual orientation, is crucial for targeted assistance. Additionally, assessing the tangible impact of victim assistance programs, incorporating qualitative studies, conducting longitudinal research, and exploring societal attitudes and stigmatization are all vital components of future research to comprehensively grasp stakeholder perceptions and enhance victim support. Bridging these research gaps will lead to more effective and inclusive victim assistance programs, ultimately benefiting victims and their families. Researchers and policymakers should collaborate to address these gaps and advance victim assistance initiatives.

2.5 Strategic Interventions for Enhancing the Efficacy of the Governance Mechanisms in Addressing the Burdens of Crime Victims in Kenya

The protection and support of crime victims are fundamental elements of a just and equitable society. A critical aspect of this effort is the responsiveness of the governance framework within a country. In Kenya, like many nations, the effectiveness of the governance framework in safeguarding the rights and wholeness of crime victims is foundational in realisation of justice, healing accompanied by restoration for those affected by criminal acts. This literature review aims to assess the responsiveness of the governance framework in protecting crime victims in Kenya. It explores the legal framework, the role of government institutions, and the challenges faced in victim protection.

The scrutiny of the legal framework demonstrates that Kenya has taken steps to recognise the legal entitlements of crime victims through statutory provisions. The VPA Act of 2014 is a landmark legislation that outlines the claims of complainants and obligations of relevant public agencies in safeguarding these liberties. It emphasizes victims' entitlement to information, protection, and support throughout legal proceedings (Republic of Kenya, 2014). However, while the legal framework is in place, there is a need for in-depth analysis to determine its actual implementation and impact.

In Kenya, a number of government organizations are essential to the security of survivors of crime. These consist of the law enforcement public agencies. These organizations are specifically charged with looking into and prosecuting crimes as well as making sure victims are taken care of. The responsiveness of the governance system is directly impacted by how well these entities perform their duties.

Githinji (2017) highlighted that despite legislative efforts and the roles of various government institutions, several challenges persist. Inadequate funding for victim support programs is a significant hurdle, limiting the reach and impact of these initiatives. Coordination issues among

government agencies and delays in the justice system further compound the challenges not to mention specific burdens of vulnerable groups categorised into women, children, and individuals. In conclusion, responsiveness in the governance framework in protecting crime victims in Kenya is a critical element in ensuring justice and support for those affected by criminal acts. The legal framework, government institutions, and challenges in victim protection all influence the effectiveness of this framework. Assessing its impact on crime victims and implementing recommended improvements are essential steps in creating a more compassionate and responsive governance framework for victim protection in Kenya. Further research and collaboration among stakeholders are crucial in achieving this goal.

2.6 Research Gaps

Research gaps within Kenya's governance framework for protecting crime victims are essential for advancing victim protection and ensuring a responsive system. Firstly, conducting a comprehensive evaluation of the Victim Protection Act is urgently needed to assess its legal and practical impact on victim welfare.

Additionally, Kamau (2017) noted that the scarcity of robust quantitative data on victim protection hampers a systematic understanding, and collecting such data can illuminate the prevalence of victimization and service utilization. Comparative analyses against international standards can identify areas for improvement and inform policy recommendations. Research on vulnerable and marginalized populations is vital for ensuring inclusivity, as is understanding how intersectional factors affect victim protection in Kenya's diverse society. Investigating institutional and systemic barriers can reveal structural challenges, while understanding stakeholder perceptions through qualitative research uncovers real-world challenges. Economic analysis informs resource allocation, and research on policy and legal framework implementation identifies areas for targeted improvements. Identifying and disseminating best practices and evaluating monitoring and evaluation mechanisms are crucial for ensuring an

effective victim protection framework. Bridging these research gaps will lead to a more responsive and comprehensive governance framework. Researchers and policymakers must collaborate to address these gaps and enhance victim assistance initiatives.

In conclusion, the identification of research gaps in the existing literature on victim assistance programs, stakeholder perceptions of victim assistance initiatives in Kenya, and Kenya's governance framework for protecting crime victims is crucial for advancing the field of victim support and improving the effectiveness of these programs. These gaps encompass a wide array of dimensions and areas where further research is needed. To address these gaps, researchers, policymakers, and practitioners should collaborate to conduct empirical studies that assess the real impact of victim assistance programs on the well-being of victims. Long-term outcomes and the factors contributing to program success, including funding and staff training, should be explored in greater depth. The unique needs of diverse victim populations, technological advancements, and the resilience of victims themselves represent rich avenues for research (Kamau, 2017).

Legal and policy frameworks, collaboration and coordination, economic aspects, and prevention efforts also require further examination. Bridging these research gaps will lead to a more comprehensive understanding of victim assistance programs, stakeholder perceptions, and the governance framework for victim protection. Ultimately, this research will result in more effective, inclusive, and victim-centred policies and initiatives that better target the burdens and demands of those wounded by crime in Kenya and beyond. It is essential for the academic community, policymakers, and practitioners to prioritize these research gaps to advance the field and enhance the support provided to those who have experienced victimization. Such collaborative efforts will contribute to a more compassionate and effective response to those injured by crime.

2.7 Theoretical Framework

2.7.1 Governance Capacity Theory versus Victim Centered Approach Theory

This study utilizes the Governance Capacity theory in a general sense and then narrows down to Victim Centered Approach Theory so as to accurately situate the research gap that has been identified in this study within the context of the specific governance of our criminal justice sector. Governance Capacity Theory and Victim-Centered Approach Theory provide complementary frameworks for understanding and addressing the complex needs of crime victims and the broader context of personal security. Governance Capacity Theory highlights the multifaceted deficiencies in state capacity be they fiscal, administrative, political, legal, coercive, and infrastructural that undermine effective policy implementation and governance. In contexts like Kenya, where police, prosecutors, courts, and prisons are plagued by infrastructural deficiencies and resource shortages, these capacity deficits directly impact crime victims by creating environments where justice is delayed or denied, and criminals operate with impunity. Addressing these deficits involves not only upgrading infrastructure and technology but also enhancing human resources and streamlining institutional processes. Effective governance, as emphasized by theorists like Fukuyama and Grindle, is crucial for providing security and maintaining political stability, which in turn bolsters the state's legitimacy. Without robust governance capacity, efforts to protect crime victims and ensure their security remain fragmented and ineffective, perpetuating cycles of victimization and insecurity.

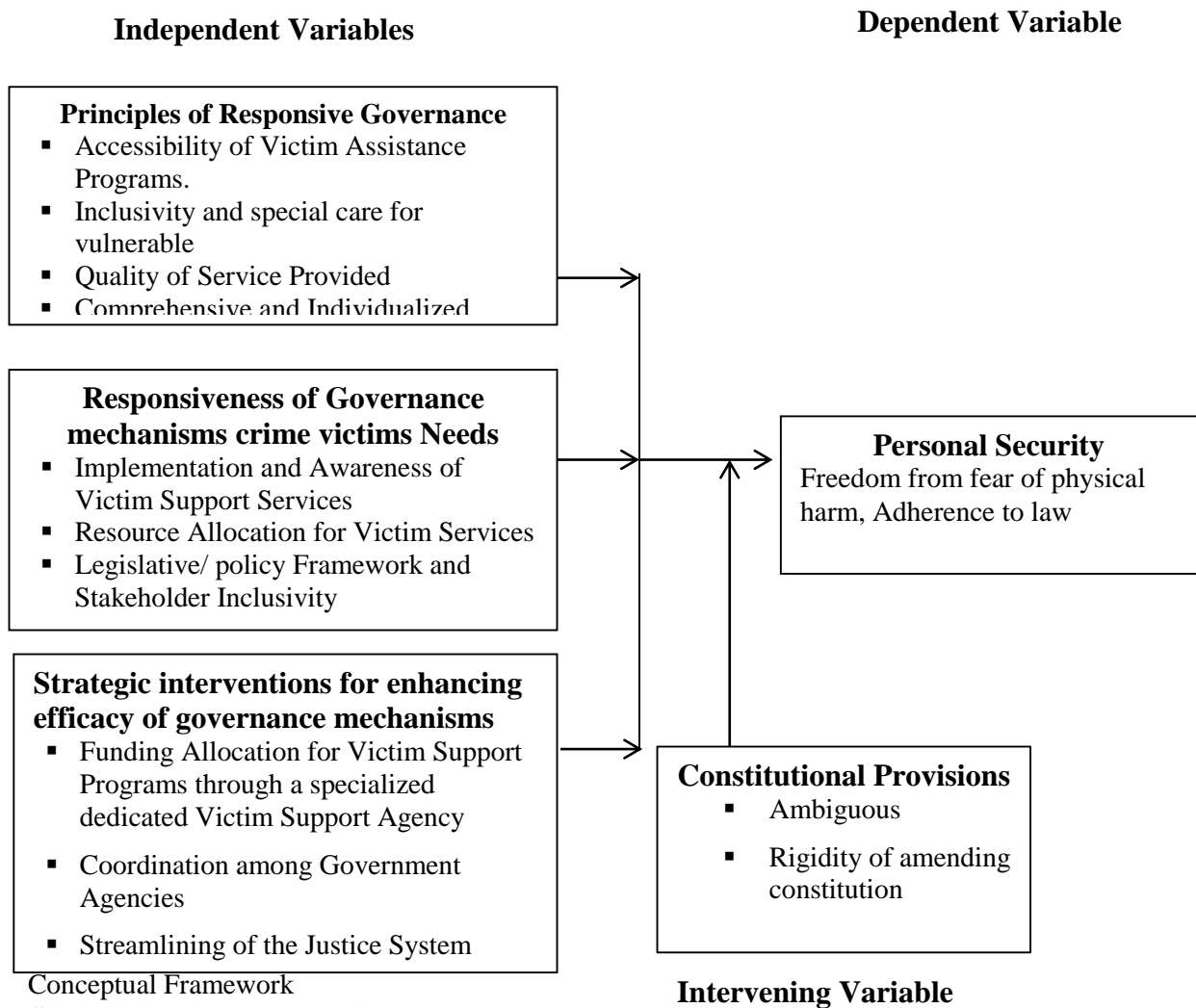
Victim-Centered Approach Theory shifts the focus to the individual experiences and needs of crime victims, advocating for their recognition as active participants in the justice process. Scholars like Marlene A. Young and John Braithwaite emphasize the importance of empowering victims by ensuring their rights to information, participation, protection, and restitution are upheld. This approach advocates for integrating restorative justice principles, which prioritize repairing harm and fostering dialogue between victims, offenders, and

communities. Trauma-informed practices, as highlighted by scholars such as Judith Herman and Bessel van der Kolk, are essential for recognizing the psychological impacts of crime and providing environments that minimize re-traumatization. Implementing these practices within the criminal justice system involves training personnel to be sensitive to trauma, offering comprehensive support services, and creating safe spaces for victims to voice their experiences. By centering victims' needs and experiences, this theory promotes a more responsive, compassionate, and effective justice system, ultimately enhancing personal security and empowering victims to regain control over their lives. The intersection of these theories illuminates the critical nexus between state capacity and the individual needs of crime victims. Effective governance is foundational for creating the infrastructure and legal frameworks necessary for a victim-centered approach to flourish. Conversely, recognizing and addressing the needs of crime victims through a victim-centered approach can inform and drive governance reforms that prioritize personal security and justice. For instance, addressing judicial backlogs and improving forensic capabilities not only enhances the state's ability to deliver justice but also directly benefits victims by ensuring timely and accurate case resolutions. However, as highlighted by critics, technical capacity building must be accompanied by political will and societal commitment to equitable justice. Power dynamics and resource allocation decisions often skew in favor of more powerful societal groups, leaving marginalized victims underserved. Thus, meaningful reforms require a holistic approach that integrates governance capacity improvements with concerted efforts to reorient political and societal priorities toward inclusive and equitable security and justice.

2.8 Conceptual Framework

To succeed in the examination of responsive governance in the context of crime victim support services (CVSS) in Kenya, Responsive Governance Framework is most suitable. This framework is particularly suitable because it emphasizes the relationship between governance

mechanisms and their responsiveness to the needs of various stakeholders, including vulnerable populations like crime victims. It aligns closely with the research objectives, which aim to assess how governance mechanisms in Kenya address the needs of crime victims and identify key principles that contribute to the success of victim assistance programs. Central to this framework are the components of responsiveness such as accountability, transparency, and participation. These elements ensure that governance systems are not only attuned to the needs of crime victims but also actively engage them in the justice process, ensuring their rights are protected and their voices are heard. The framework is highly relevant to the Kenyan context, where the legal system often prioritizes the liberties of the criminals at the expense of crime survivors. By applying this framework, this study can critically examine these systemic issues, propose victim-centric reforms, and provide evidence-based recommendations that promotes legal governance that is attentive to crime survivors.



Conceptual Framework
Source: Researcher, 2024

2.9 Chapter Summary

The chapter delves into the key principles of responsive governance that underpin the success of victim assistance programs, with a particular focus on Victim Support Services (VSS). It begins by elucidating the fundamental principles of responsive governance, including inclusivity, transparency, accountability, flexibility, and collaboration. These principles serve as guiding frameworks for effective governance structures aimed at addressing the multifaceted needs of crime victims. Through a thorough analysis, the review highlights how adherence to these principles contributes to the efficacy and impact of victim assistance programs.

Subsequently, the chapter investigates the extent to which governance mechanisms in Kenya

respond to the needs of crime victims, drawing insights from the perspectives of both victims and relevant stakeholders. Through empirical research and stakeholder interviews, the chapter interrogates the responsiveness of governing mechanisms in Kenya, examining the strengths, weaknesses, and gaps in the current system. By incorporating victim voices and stakeholder perspectives, the chapter offers valuable insights into the lived realities of crime survivors and the challenges they face in accessing support and justice within the existing governance framework.

In light of the review regarding the responsiveness of governance mechanisms, the discourse closes by presenting cogent proposals aimed at enhancing the efficacy of governance mechanisms in addressing the needs of crime victims in Kenya. These recommendations encompass a range of strategies, including strengthening legal frameworks, improving coordination among relevant stakeholders, enhancing resource allocation, and promoting victim-centered approaches within governance structures. By implementing these recommendations, the chapter argues that governance mechanisms can better respond to the needs of crime victims, improve access to support services, and ultimately contribute to enhancing personal security and well-being for all individuals affected by crime in Kenya.

CHAPTER THREE

RESEARCH METHODOLOGY

3.1 Introduction

This section enumerates the research methodology utilized to undertake the study and also reveals the research design and rationale that was relied on. The data collection method, description of study location, sampling technique, measures on validity and reliability used in the study and ethical practices are also captured here.

3.1.1 Research Design

Research plan is a crucial framework for conducting studies, defining data retrieval methods, evaluation, and interpretation to ensure the authenticity and quality of the observations. This investigation employed a mixed-methodologies approach, integrating both qualitative and quantitative research techniques to analyze the role of responsive governance in enhancing personal security among Kenyan crime victims. A descriptive research design was utilized to report and examine social phenomena as they occur, allowing for an assessment of the impact of responsive governance on personal security. This design facilitated the exploration of the benefits, challenges, and implementation aspects of responsive governance and was chosen due to budget and time constraints, which necessitated efficient data collection and analysis. Its flexibility also allowed the research to adapt based on findings.

3.1.2 Area of the Study

In a research study, the term "research site" refers to the specific location or context where the research is conducted, data is collected, and the study's focus or subject matter is observed, analyzed, or investigated (Mugenda & Mugenda, 2008). The research site is a fundamental aspect of the research design and often varies depending on the nature of the study and the research questions being addressed. A research site in a research study refers to the physical location where the research is conducted. It could be a laboratory, a field site, a hospital, or any

other place where data is collected and analyzed. The choice of research site depends on the research question, the type of data required, and the resources available.

To determine the most relevant research site for the study on victim assistance programs in Kenya, it's important to consider factors such as accessibility to key stakeholders, the prevalence of crime, and the presence of victim assistance initiatives. Based on these considerations, one possible and preferred research site could be Nairobi, the central hub of Kenya.

Firstly, Nairobi serves as the country's political, economic, and administrative centre. This makes it an ideal location to access key stakeholders such as government officials, police officers, lawyers, prosecutors, judicial officers, and relevant NGOs and organizations involved in victim assistance programs. These stakeholders are more likely to be concentrated in the capital city, making it easier to conduct interviews and surveys.

Secondly, Nairobi is the largest city in Kenya and serves as the country's political, economic, and administrative centre. This makes it an ideal location to access key stakeholders such as government officials, police officers, lawyers, prosecutors, judicial officers, and relevant NGOs and organizations involved in victim assistance programs. These stakeholders are more likely to be concentrated in the capital city, making it easier to conduct interviews and surveys.

Thirdly, Nairobi experiences a relatively high crime rate compared to other regions in Kenya. This high incidence of crime provides an opportunity to study a broad range of victim experiences and victim assistance programs. Understanding the dynamics in a high-crime environment can yield valuable insights into the challenges and successes of victim assistance initiatives (Muthondeki et al., 2017). Not to mention that Nairobi is likely to have a concentration of victim assistance programs and organizations, given its status as the capital city. This concentration provides a diverse range of programs and services to investigate, making it an ideal location to assess their strengths and weaknesses.

Lastly, Nairobi is the centre of Kenya's governance and administration, and this location is crucial for assessing the correlation between responsive governance and the safeguarding of legal claims bestowed on survivors of crime. You can easily access government institutions, courts, and other relevant bodies to investigate the responsiveness of the governance framework in protecting crime victims. Nairobi is also ethnically and culturally diverse, making it a suitable location to capture a wide range of perspectives from different communities and backgrounds, including those of crime victims and their families.

3.1.3 Study Population

In this study, the study population encompasses a broad group of individuals and entities in Kenya involved in crime victim support and governance and they include crime victims with their families, government officials, law enforcement personnel, legal experts, advocacy groups, community leaders, civil society organizations, the international community, and academic researchers. The target population, a specific subset of this broader group, focuses on crime victims, law enforcement, legal practitioners, and advocacy groups. This selection is informed by Githinji (2017), who identified key stakeholders in policy-making, law enforcement, and advocacy within Kenya. Babbie and Mouton (2010) emphasize that defining the target population is crucial for designing a study, selecting an appropriate sample, and generating findings that are meaningful for the larger group under investigation. In this context, the study targets crime victims in Kenya, as they directly experience the impacts of crime and can provide valuable insights into their interactions with governance structures and mechanisms for personal security. Githinji (2017) further illustrates that government officials and law enforcement are numerous and include individuals at various levels of governance, such as the police, the investigators, the prosecutors, members of parliament, and governors. Legal experts and advocacy groups, such as the Civil Society Organizations (CSOs) are recognized as those who advocate for crime victims' rights and offer critical insights into the

legal frameworks, policies, and practices related to personal security in governance frameworks. These CSOs often play a crucial role in addressing personal security at the grassroots level. Academic researchers and experts in criminology, governance, and public policy provide analytical perspectives on the relationship between responsive governance and personal security in the country. Consequently, the target population for this study was narrowed to those directly involved with crime victims and in policy-making, law enforcement, and advocacy, with a total of 230 respondents selected for participation.

3.1.4 Sampling Techniques

Information was sought from subjects perceived to be in possession of the requisite knowledge, thus research adopted non-probability sampling approaches. Non-probability sampling concentrates on detailed data rather than drawing conclusions and generalisations, it is suitable for qualitative research (Mugenda & Mugenda, 2008). Respondents were handpicked based on the facts they were likely to know about the contribution of responsive government to personal security using a case study of crime victims in Kenya, given the sensitive nature of the subject (law enforcement). Principal informants judged to be knowledgeable about the study's subject were chosen through the use of purposeful sampling.

After that, in order to obtain more respondents, snowball sampling was used on the original respondents. Since the researcher did not know who the relevant respondents would be at the beginning, this sampling strategy proved helpful. In cases where participants left the study or were unable to continue the interview for any reason, convenient sampling was also employed. In order to replace the aforementioned respondents, the researcher sought other informants who possessed comparable knowledge.

3.1.5 Calculation of Sample Size

The attainment of the extent of the sample for this study was calculated using Saunders et al (2009) formula. From the study target population of 230 officials as stated in section 3.1.4 of

this chapter, and a confidence level of 95%, a sample size of 180 respondents was obtained.

The working for the sample size determination is as indicated below:

$$n = \frac{N}{1 + N(\alpha)^2}$$

Where n= the sample size

α =margin error (0.05%)

N=sample frame

Applying the formula,

$$n = \frac{N}{1+N(\alpha)^2} = \frac{230}{1+230(0.05)^2} = \frac{230}{1+0.275} = \frac{230}{1.275} = 180$$

Therefore, the size of the data set for this research is 180 Respondents as demonstrated in the

Table No. 1 herein below.

Table 1

Target Population and Sample Size

| Category | Target Population | Calculation | Sample Size |
|------------------|-------------------|-------------|-------------|
| Police officer | 19 | 19/230*180 | 15 |
| Prosecutor | 102 | 102/230*180 | 80 |
| Lawyer | 51 | 51/230*180 | 40 |
| Judicial officer | 13 | 13/230*180 | 10 |
| Medical officer | 13 | 13/230*180 | 10 |
| Civil Society | 13 | 13/230*180 | 10 |
| Other | 19 | 19/230*180 | 15 |
| Total | 230 | | 180 |

3.1.6 Data Collection Instruments

To collect primary and secondary sources for this study, several data collection instruments were employed to ensure comprehensive and reliable findings. Structured questionnaires were used to gather information from Kenyan crime victims and key agencies in criminal justice sector in Kenya, chosen for their efficiency in terms of time and cost. Extensive consultations were conducted with expert informants consisting of representatives from governmental justice bodies, civil society organizations, legal practitioners and advocacy groups. These interviews

were semi-structured to allow flexibility while keeping the respondents focused on the study's key topics, ensuring the collection of detailed and relevant data. Interview schedules were carefully prepared and reviewed to align with the study's objectives and to secure appointments with informants. For secondary data, sources included official reports from government ministries and departments, security agencies, and international organizations, as well as academic journals, theses, monographs, online publications, and global crime reports. This data was used to supplement, validate, and enhance the primary data, providing a broader context and depth to the findings.

To ensure the credibility of data gathering tools, a feasibility study was undertaken with a subset of crime victims who were not part of the main study. This pre-testing helped identify and refine unclear or ambiguous questions. Additionally, triangulation was employed to enhance the study's validity by cross-verifying data from multiple sources, reducing bias, and improving the overall impartiality of the findings as recommended by (Saunders et al., 2009).

3.1.7 Data Analysis

The acquired qualitative data was analyzed using content and thematic analysis techniques. Thus, qualitative data was coded and categorized to various emergent themes under each objective to enable a closer examination of the study's numerous topic issues (Babbie & Mouton, 2010). The surveys were also reviewed to make sure they were consistent and full. The completed questionnaire replies were coded and saved in the relevant spreadsheet on the computer. To characterize the responses, descriptive statistics such as frequency, means, and percentages were employed. The coded data were examined using statistical analysis programs.

3.1.8 Ethical Considerations

According to Mugenda & Mugenda (2008), following ethical guidelines is essential when doing research. When working with sensitive subjects and obtaining respondents' consent to participate in research, research ethics are designed to safeguard both the researcher and the

respondents. The research was cognizant of ethical principles and was therefore conducted in a way that emphasizes the security and dignity of research participants.

In order to comply with the informed consent doctrine, the respondents' consent was requested. Clarity about the usage of the responses for academic purposes exclusively was stressed both in writing and verbally, as the study touches on critical security setup. The acquired data and information was kept private and wasn't disclosed to any person or organization. Respondent names were not shown; instead, codes were used in their place. There was no use of threats, coercion, or rewards. Verification of legitimacy and legality of the research work was fortified as the researcher carried additional identity documents in addition to the NACOSTI research permit.

3.1.9 Chapter Summary

The study was conducted in Nairobi, chosen for its accessibility to key stakeholders, high crime rate, and concentration of victim assistance programs. The study population encompassed a broad group involved in crime victim support and governance, with the target population focused on crime victims, law enforcement, legal practitioners, and advocacy groups. Non-probability sampling techniques, including purposive, snowball, and convenient sampling, were used to select 180 respondents, as determined by the Saunders et al. (2009) formula. Data collection involved structured questionnaires and in-depth interviews, supplemented by secondary data from official reports and academic sources. A pilot study and triangulation were conducted to ensure data reliability and validity. Ethical considerations included informed consent, confidentiality, and securing necessary permits, ensuring the study's legitimacy and the protection of respondents' identities.

CHAPTER FOUR

RESULTS AND DISCUSSION

4.0 Introduction

In this section, presentation of data, analysis and discussion of research's outcomes are discussed. Tables alongside graphic analysis were employed in presentation of information. This was accomplished in alignment with the objectives of the research.

4.1 Response Rate

The research sampled 180 respondents wherein 116 (64%) responded. These were categorized as follows: questionnaire participants, 102(78.5%) and interviewees, 20 (70%). These were deemed sufficient for analysis in line with Fincham (2008) who points out that a response rate of 60% is sufficient in surveys. In this research, several key challenges contributed to the poor response rate. The timing of the survey, conducted during a particularly busy period, likely impacted participation as respondents may have been preoccupied with busy work schedules. Additionally, the absence of incentives may have resulted in less motivation for respondents to engage. Survey fatigue also played a role, with potential participants possibly feeling overwhelmed by frequent survey requests or perceiving the survey as redundant. The busy schedules of professionals further exacerbated the issue, as they may have had limited time to dedicate to the survey. Finally, insufficient follow-up and reminders contributed to the low response rate, as more effective prompts could have encouraged greater participation. Addressing these specific issues could improve response rates in future research

Table 2

Response Rate

| Respondents | Sampled | Responded | Response Rate |
|----------------|---------|-----------|---------------|
| Questionnaires | 130 | 102 | 78.5 |
| Interviews | 20 | 14 | 70.0 |
| Total | 180 | 116 | 64.4 |

Source: Field data, 2024

4.2 Social Demographic Characteristics of Respondents

General information about the respondents that were assessed in the study included gender, age, level of education, occupation as well as duration in current occupations. Social demographic characteristics of respondents are crucial in research because they provide context for interpreting findings and assessing the representativeness and generalizability of the results. These characteristics, including gender, age, education level, occupation, and years of work experience, help identify potential biases and ensure that the sample reflects a diverse range of perspectives relevant to the research topic.

4.2.1 Gender of Respondents

Research sought to find the gender of the participants. The findings are presented in Figure 2 below.

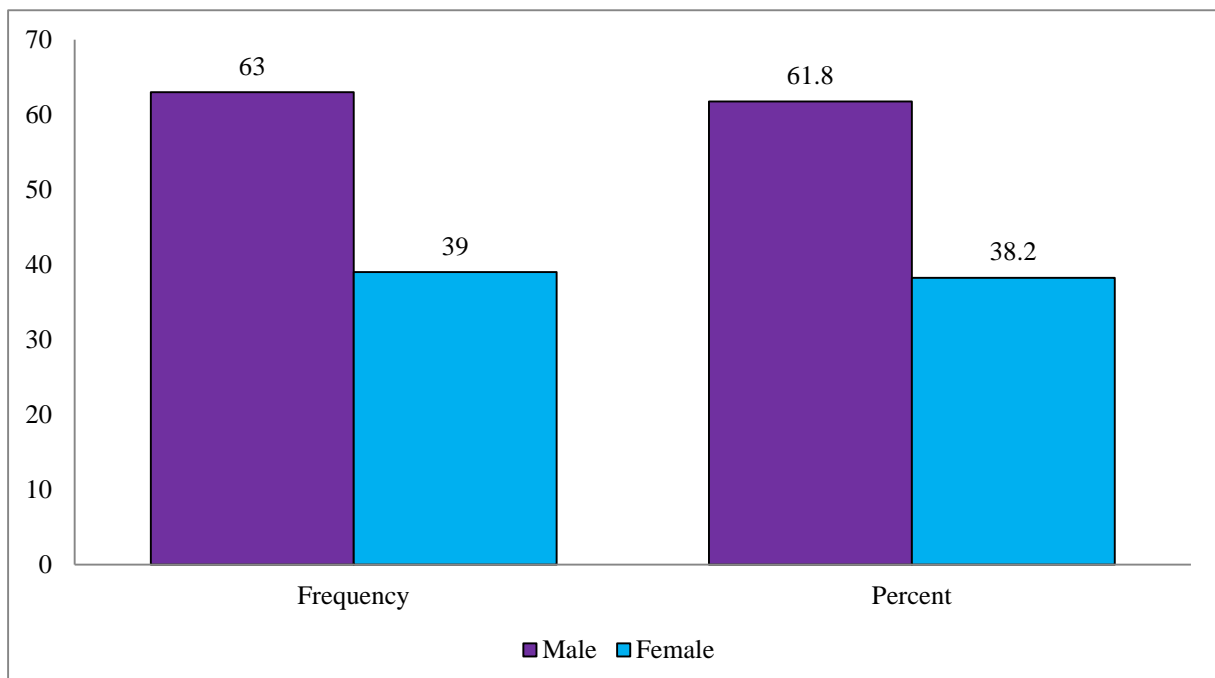


Figure 2

Gender of Respondents

Source: Field data, 2024

As shown in Figure 2 above, 63 (61.8 %) of the respondents were male while, 39 (38.2 %) were female. This shows that more males took part in the study as opposed to females. Nevertheless, both genders were well represented in the study which could avert gender bias.

4.2.2 Age Profile of Respondents

The participants were requested to specify their ages. Their feedback is captured in Figure 3 below.

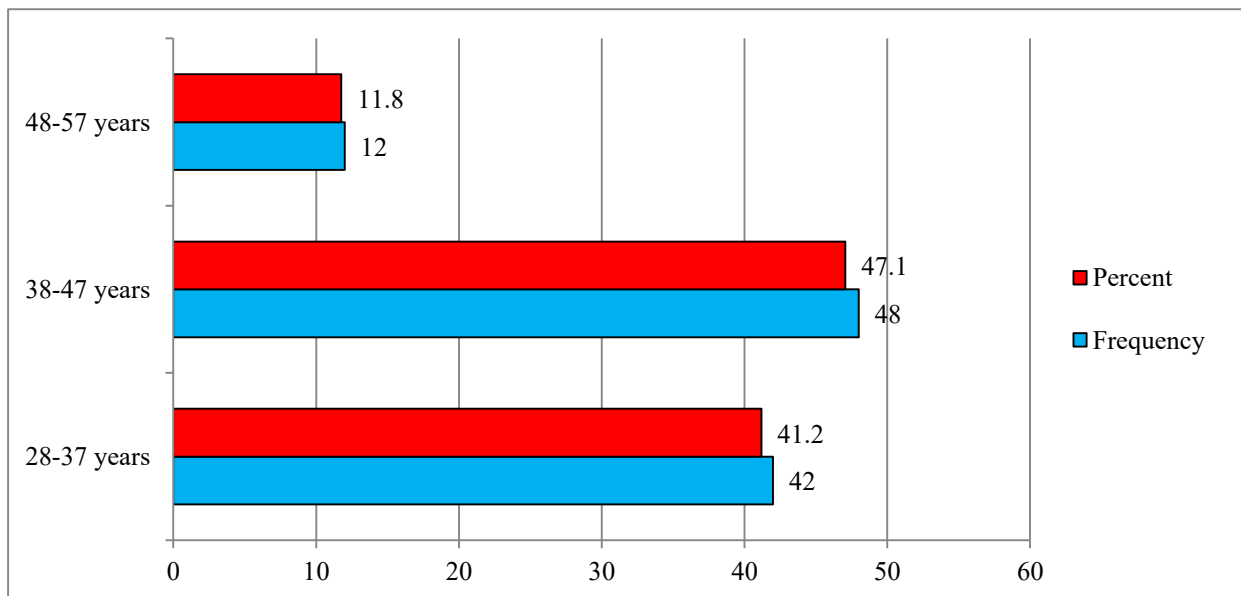


Figure 3

Age Range of Respondents

Source: Field data, 2024

The majority, 48 (47.1%) of participants were aged between 38- 47 years. These was followed by those aged 28-37 at 42 (41.2%) while 12 (11.8%) were aged between 48-57 years. These findings show that the respondents had diverse ages. This could reduce age bias in the findings obtained.

4.2.3 Education Background of Respondents

The participants were asked to indicate their levels of education. The findings are shown in Figure 4 below.

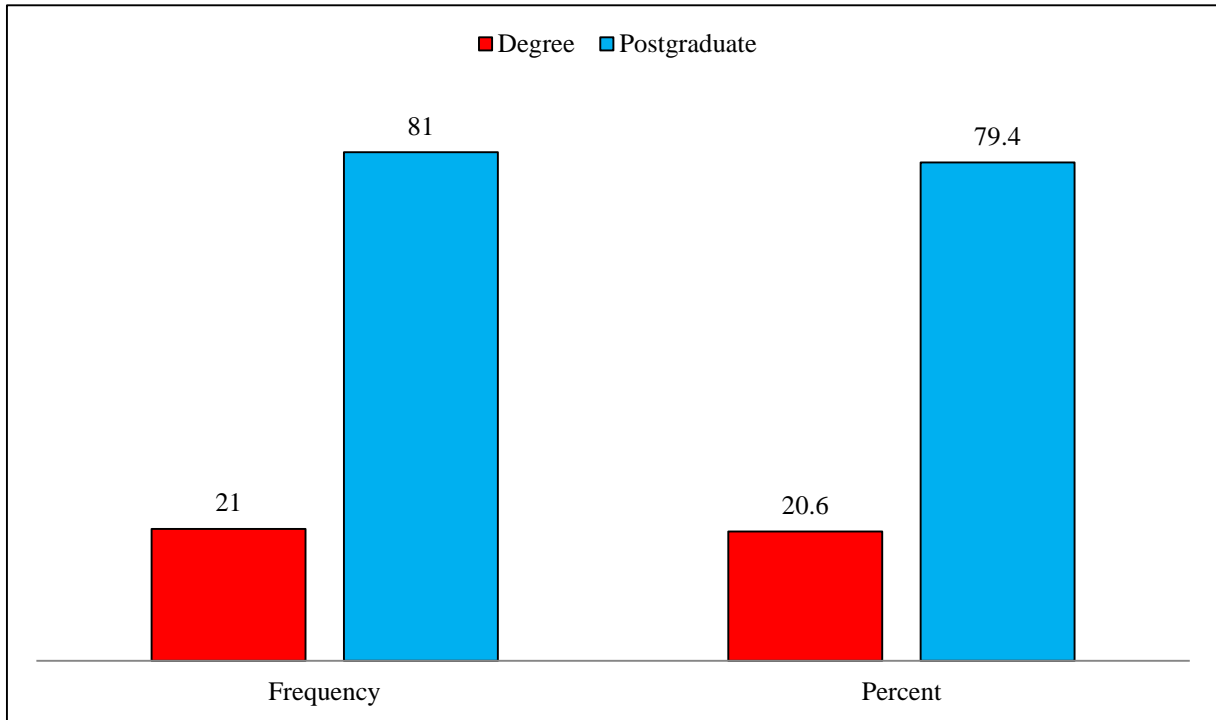


Figure 4
Education Levels of Respondents
Source: Field data, 2024

The findings indicate that 81 (79.4%) had attained postgraduate education while 21 (20.6%) had attained degree level education. This illustrates that the respondents well educated and could make significant contributions on the subject under investigation.

4.2.4 Occupations of Respondents

The respondents were asked to state their work category and the outcomes are depicted in Figure 5 below.

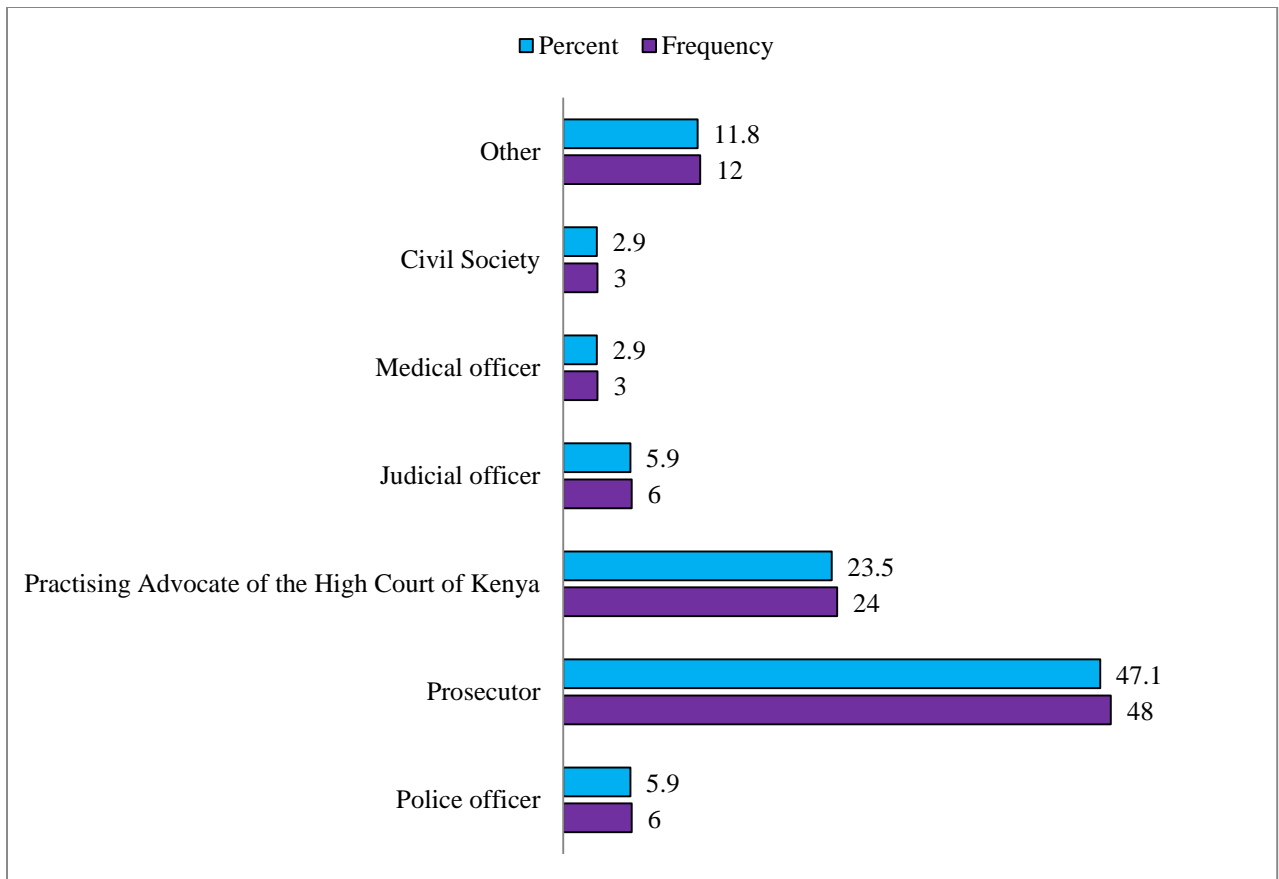


Figure 5
Occupation of Respondents
Source: Field data, 2024

As shown in Figure 4 above, 48 (47.1%) of the respondents were persecutors. These were followed by practicing advocates of the high court of Kenya at 24 (23.5%). Those from other occupations were 12 (11.8%) while judicial officers and police officers were at 6 (5.9%) each. Conversely, medical officers and civil society officials tied at 3 (2.9%). The findings show that the categories comprised of diverse work categories thus demonstrated a wide range of opinions relevant to the study.

4.2.5 Years of Professional Experience

Respondents were asked to indicate their number of years worked in their specific work category and findings indicated in Figure 6 below.

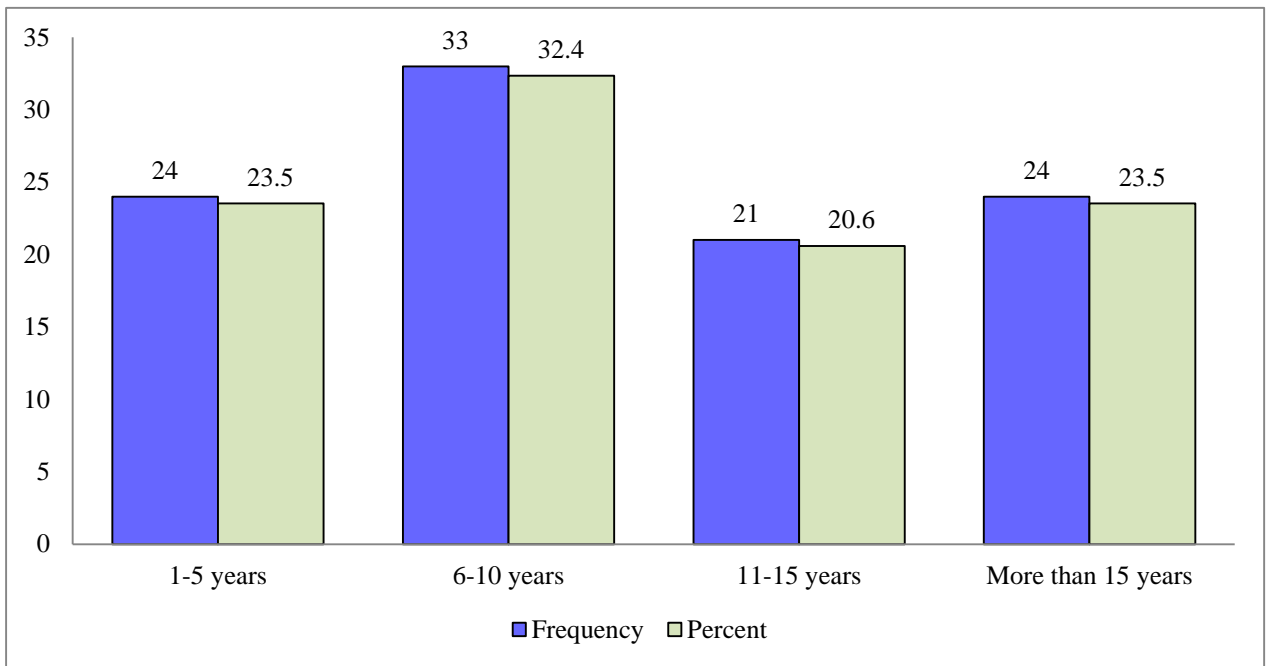


Figure 6
Years of Experience in Current Role
Source: Field data, 2024

The majority, 33 (32.4%) had worked for 6-10 years. These were followed by those who had worked for 1-5 years and for more than 15 years each at 24 (23.5%). Those who had worked for 11-15 years were the least at 21 (20.6%). This indicates majority had worked for a significant duration thus knowledgeable about their subject under investigation and could make pertinent contributions to the study subject.

4.2.6 Data and Discussion on the Social and Demographic Traits of Respondents

Social demographic attributes are vital for research purposes as they offer context for interpreting findings and assessing their generalizability. In this study, the gender distribution (61.8% male, 38.2% female) suggests both genders are well-represented, helping to mitigate gender bias. The diverse age range, predominantly 38-47 years, reduces age bias and enriches the perspective on the study topic. The high level of education among respondents (79.4% with postgraduate degrees) indicates a well-informed sample, enhancing data quality. The variety of occupations, including prosecutors and advocates, ensures a broad range of professional

insights. Additionally, the extensive work experience of respondents (32.4% with 6-10 years) provides valuable, knowledgeable perspectives. Together, these characteristics contribute to a well-rounded understanding of the research topic and help ensure the findings are robust and applicable.

4.3 Key Principles of a Responsive Governance Framework that Contribute to Success of Crime Victims Assistance Programmes (Victim Support Services)

The first objective of the study was to examine the key principles of responsive governance that contribute to the success of victim assistance programs (Victim Support Services). This section presents findings from questionnaires and interviews.

According to Figure 7, the respondents were asked to indicate whether they have ever been victims of crime(s). In response majority of the respondents 75 (73.5%) said yes while a significant number 27(26.5%) stated that they had not been direct victims of crime(s).

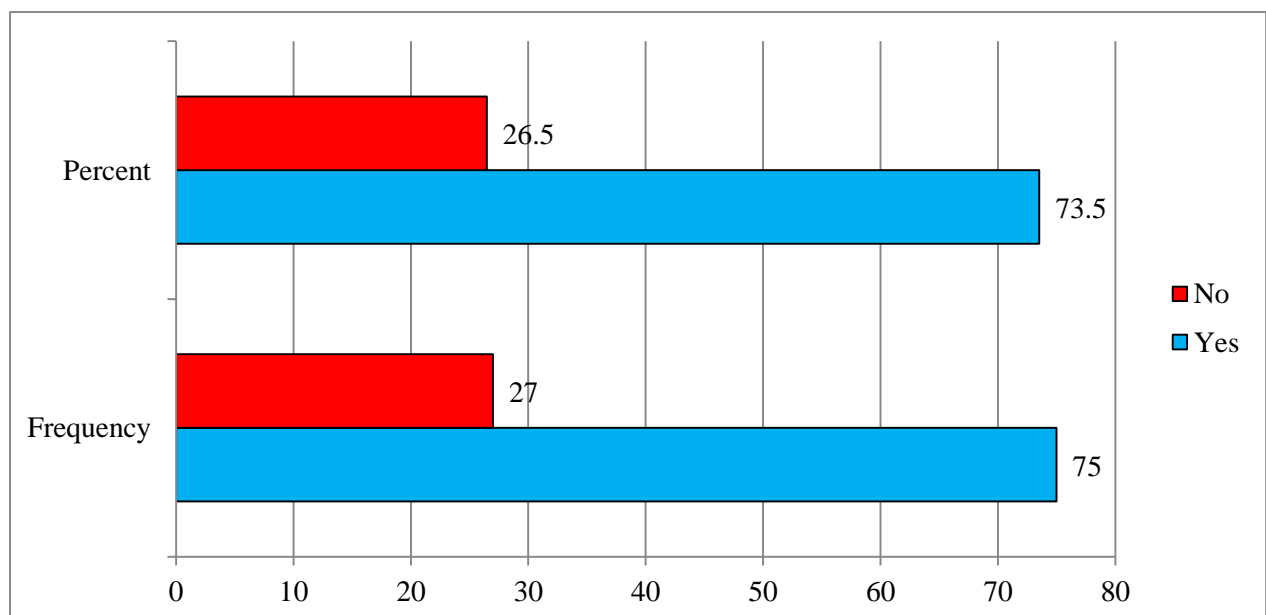
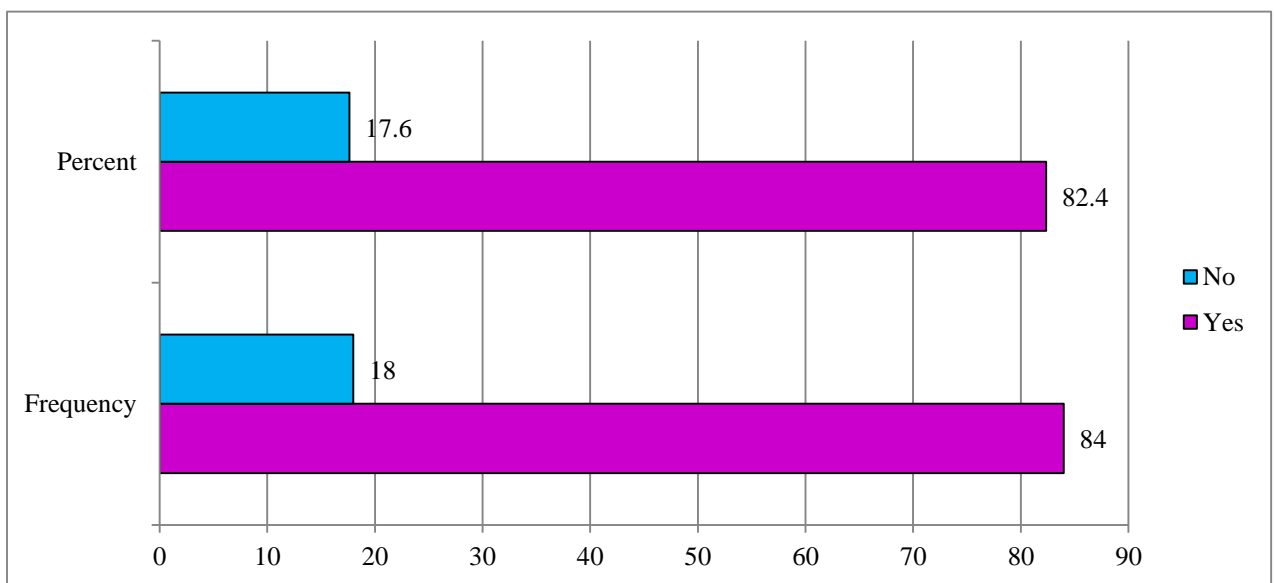


Figure 7

Respondent being a Victim of Crime in Kenya

Source: Field data, 2024

The respondents were further asked to indicate whether they were familiar with the factors that contribute to successful crime victim assistance programs generally. Most of the respondents 84(82.4%) said yes while a significant number 18 (17.6%) stated that they were not. Figure 8 below summarizes this information.



Source: Field data, 2024

The respondents were asked to point out the specific governance institutions or programs that had been put in place to support crime victims in Kenya. The findings show that the main institutions were as shown in Table 3.

Table 3*Governance Institutions and Programs Established to Support Crime Victims in Kenya*

| | GOVERNMENT INSTITUTION | MANDATE OF THE INSTITUTION | HOW THEY PROVIDE SUPPORT |
|----|---|--|--|
| 1 | Independent Police Oversight Authority (IPOA) | Oversight of the Police | Referral of victims; Provide oversight to ensure transparency on victim protection |
| 2 | NATIONAL COUNCIL OF PERSONS WITH DISABILITIES | Protection and promotion of the rights of Persons with Disabilities (PWDs) | Referral of victims; Support protection programmes of the VPB |
| 3 | COMMISSION ON ADMINISTRATIVE JUSTICE | Facilitate complaints handling capacity in the public service and state organs; Adjudicate allegations of maladministration and administrative injustice in public service | Referral of complaints relating to victim protection; Evaluation of complaint handling; Issue compliance certificate |
| 4 | CIVIL SOCIETY | Conducting advocacy on matters of human rights and administration of justice; Public Interest Litigation on Victim Rights | Create awareness; Referral of victims; Funding of programs; Training |
| 5 | NATIONAL LEGAL AID SERVICE | Provide legal aid | Referral of victims; Support VPB programs; Representation of victims through pro-bono services |
| 6 | COUNCIL OF GOVERNORS/COUNTY GOVERNMENTS | Promote social and economic development and provision of proximate, easily accessible services throughout Kenya | Collaboration in decentralization of services |
| 7 | KENYA PRIVATE SECTOR ALLIANCE (KEPSA) | To bring together various private sector actors | Provide information and research on victim rights and protection; Funding of programs |
| 8 | NATIONAL CRIME RESEARCH CENTRE | To carry out research into the causes of crime and its prevention and to disseminate the research findings and recommendations to the Government Agencies | Provide periodic reports on crime trends |
| 9 | KENYA INSTITUTE OF PUBLIC POLICY RESEARCH AND ANALYSIS (KIPPRA) | Conduct research on behalf of public institutions | Provide financial assistance; Provide a network of private actors for dissemination of information and creation of awareness |
| 10 | KENYA LAW REFORM COMMISSION | Develop curriculum for institutions | Develop curriculum on victim rights and protection |

In view of the forgoing findings, the respondents were asked to state some of the Programmes they were involved in. The respondent shared their knowledge and possible involvement in several programs aimed at supporting victims of crime and witnesses in legal proceedings as shown in Table 4.

Table 4*Programs Aimed at Supporting Victims of Crime and Witnesses in Legal Proceedings*

| Program Name | Support to the Victims |
|---|--|
| Opportunity Motivation | Victim/Witness aid |
| Victim Protection | Victim/Witness protection |
| Policare | Victim/Witness care |
| Victim Impact Assessment | Victim/Witness legal guidance |
| Kituo cha Sheria, Katiba Institute, FIDA, POLICARE | Legal Support/Counseling |
| Investigations | Victim/Witness legal advice |
| Witness Protection | Victim/Witness Protection |
| Medical Support and Legal Aid | Legal/Medical Assistance |
| Victims Fund | Victim Support/Funding |
| SGBV Courts and Centers in Mombasa | Gender-Based Violence Support |
| International Criminal Out Witness Protection | International Witness Protection |
| Victim Protection Board | Victim Protection Oversight/Coordination |
| Timely Crime Reporting | Crime Reporting |
| Creating Rapport Program and Counseling for Victims | Support/Counseling |
| Empowering Victims of Crime | Victim Empowerment |
| Victim Protection Mechanisms | Victim Protection |
| Restorative Justice to Victims | Victim Restoration |
| Counter Trafficking in Persons Secretariat Victims Assistance Program | Human Trafficking Victim Support |
| National Counterterrorism Centre Programs | Counterterrorism Victim Support |
| Probation and Aftercare Services Programs | Probation/Aftercare Services |
| Victims of Terrorism Compensation Fund | Terrorism Victim Compensation |
| Legal Aid Programs | Legal Assistance |
| NLAS | Legal Support |
| Witness Protection Policy | Witness Protection Policy |
| Prosecution | Legal Support |
| Retribution | Legal Support |
| Compensation | Victim Compensation |

Source: Field data, 2024

The findings of this study offer a comprehensive analysis of the governance institutions and programs in Kenya designed to support crime victims, along with an evaluation of their effectiveness. The range of institutions identified such as the Independent Police Oversight Authority (IPOA), the National Council of Persons with Disabilities, and the National Crime Research Centre illustrates a multi-faceted approach to victim support. These bodies engage in various roles including oversight, legal aid, research, advocacy, and funding, forming a broad network of support mechanisms for victims and witnesses. Scholars like Kilcommins et al

(2018) emphasize the importance of such diverse support structures in ensuring comprehensive victim assistance. Programs like Opportunity Motivation, Victim Protection, and Policare provide critical services such as counseling, medical aid, and legal representation. These initiatives are crucial for addressing both immediate needs and long-term recovery, supporting victims as they navigate the aftermath of crime. Legal support organizations such as Kituo cha Sheria, NALEAP and FIDA facilitate access to justice, ensuring that vulnerable members of the society receive necessary advocacy and representation within the legal system. According to scholars such as Fineman (2008), emphasizing protection and safety through programs like Witness Protection is vital for safeguarding individuals who might face risks due to their involvement in legal proceedings.

Specialized programs, including the SGBV courts and centers in Mombasa, address unique challenges associated with gender-based violence, offering tailored support to survivors. Similarly, initiatives focused on counterterrorism and human trafficking provide targeted assistance, reflecting the need for specialized support to address distinct forms of victimization. Empowerment and restorative justice programs aim to rebuild victims' lives, fostering resilience and active participation in the justice process. Compensation mechanisms, such as the Victims Fund and the Victims of Terrorism Compensation Fund, help alleviate the financial burdens experienced by victims, supporting their recovery. Coordination and oversight by entities like the Victim Protection Board are crucial for ensuring effective operation and reach of these programs. However, challenges persist; for instance, Opportunity Motivation faces budgetary constraints that limit its effectiveness, while the operationalization of the Victim Protection program is significantly hampered despite robust policies. Policare, although successful in some areas, also encounters obstacles affecting its overall impact. Scholars such as Godfrey (2016) point out that addressing such challenges is essential for enhancing the effectiveness and reach of victim support programs.

Overall, these findings highlight a concerted effort to support victims and witnesses, contributing to a more compassionate and fair justice system. Nonetheless, issues such as under-reporting, limited awareness of support services, and psychological trauma continue to impact victims' engagement with the justice system. As identified by Kilcommins et al. (2018), addressing these challenges is crucial for improving victim support programs and achieving better outcomes for those affected by crime.

The respondents were asked to rate their level of agreement with the selected statements regarding key Principles that contribute to success of crime victims assistance programmes (Victim Services) within responsive governance framework on a scale of: “1 = Strongly Agree (SA), 2 = Agree (A), 3 = Neutral (N), 4 = Disagree (D), 5=Strongly Disagree (SD).” The results are presented in Table 5.

Table 5*Governance Mechanisms in Kenya Responsiveness to the Needs of Crime Victims (N=102)*

| Statements | 1=SA | | 2=A | | 3=N | | 4=D | | 5=SD | |
|--|------|------|-----|------|-----|------|-----|------|------|------|
| | F | % | F | % | F | % | F | % | F | % |
| (i) Victim assistance program are accessible in terms of location, language, and affordability. | 22 | 21.6 | 14 | 13.7 | 10 | 9.8 | 22 | 21.6 | 34 | 33.3 |
| (ii) The staff of the victim assistance program treated victims with empathy and respect, acknowledging my feelings and experiences. | 43 | 42.2 | 15 | 14.7 | 11 | 10.8 | 23 | 22.5 | 10 | 9.8 |
| (iii) The victim assistance program ensure personal information about the victim are kept confidential to the extent permitted by law and morality. | 50 | 49.0 | 22 | 21.6 | 16 | 15.7 | 7 | 6.9 | 7 | 6.9 |
| (iv) The victim assistance program provide comprehensive services that address psychological, legal, social, and medical needs. | 13 | 12.7 | 16 | 15.7 | 13 | 12.7 | 24 | 23.5 | 36 | 35.3 |
| (v) The victim assistance program develop an individualized support plan tailored to victims' unique circumstances and needs. | 13 | 12.7 | 17 | 16.7 | 13 | 12.7 | 22 | 21.6 | 37 | 36.3 |
| (vi) The victim assistance program collaborate with other agencies and organizations to provide victims with holistic support. | 11 | 10.8 | 17 | 16.7 | 13 | 12.7 | 23 | 22.5 | 38 | 37.3 |
| (vii) Victim assistance program engage in prevention and education initiatives to reduce the likelihood of future victimization. | 27 | 26.5 | 18 | 17.6 | 14 | 13.7 | 25 | 24.5 | 18 | 17.6 |
| (viii) The victim assistance program provided victims with access to legal support to navigate the criminal justice system or obtain restraining orders. | 27 | 26.5 | 18 | 17.6 | 15 | 14.7 | 20 | 19.6 | 22 | 21.6 |

Source: Field data, 2024

Table 5 show that a significant proportion, 21.6%, strongly agreed with their accessibility, while 13.7% expressed agreement regarding the statement on victims' accessibility to these programs in terms of location, language, and affordability. However, a concerning 33.3% strongly disagreed with this statement, suggesting a perceived lack of accessibility among a considerable portion of respondents.

Regarding the treatment of victims by program staff, a majority, 42.2%, strongly agreed that staff exhibited empathy and respect, acknowledging the feelings and experiences of victims. Conversely, only a small fraction, 9.8%, disagreed with this assertion. Concerning confidentiality, nearly half of the respondents, 49%, strongly agreed that victim assistance programs ensured the confidentiality of personal information within the bounds of legal and moral constraints.

When it comes to the provision of comprehensive services addressing psychological, legal, social, and medical needs, opinions were more divided. A significant portion, 35.3%, strongly disagreed with the effectiveness of these programs in delivering such comprehensive support. Similarly, regarding the development of individualized support plans tailored to victims' unique circumstances and needs, a notable 36.3% of respondents strongly disagreed with the effectiveness of these programs in this aspect.

In terms of collaboration with other agencies and organizations to provide holistic support, opinions were split, with 37.3% strongly disagreeing with the effectiveness of such collaboration, while 22.5% agreed. In the realm of prevention and education initiatives aimed at reducing the likelihood of future victimization, 26.5% of respondents strongly agreed that victim assistance programs engage in these initiatives.

Finally, regarding access to legal support for navigating the criminal justice system or obtaining restraining orders, responses were mixed. While 26.5% strongly agreed that victims have access to such support, 21.6% strongly disagreed. The findings underscore a consensus among stakeholders regarding the importance of providing victims with access to services that are easily accessible, sensitive to their unique needs, and delivered with empathy and respect. Trauma-informed care recognizes the profound impact of trauma on victims and guides service providers in delivering appropriate support. Confidentiality and comprehensive services are essential for building trust and addressing victims' diverse needs. Moreover, individualized

support plans, empowerment, collaboration, and prevention efforts are crucial in tailoring assistance to the specific circumstances of each victim.

These findings are in agreement with the knowledge that engaging the community in supporting victims and preventing future victimization is essential. This involves building a network of support and raising awareness (Viswanathan, 2012). It is noted that many victims require legal assistance, such as help navigating the criminal justice system or obtaining restraining orders. Providing access to legal support is often a central aspect of victim assistance (O'Connell, 2005). It is essential to guarantee victim support programmes' long-term viability. To ensure this, it is necessary to provide consistent funding, conduct regular staff training, and create policies and processes that are resilient to shifts in leadership as pointed out by (Green, 2010). To enhance support for crime victims, it is crucial to explore greater cooperation and coordination between victim service organizations and other relevant agencies. Evaluating and improving prevention efforts can significantly contribute to reducing victimization. Understanding and addressing the specific challenges faced by victims of environmental crimes, and tailoring assistance programs accordingly, are essential for effectively managing environmental crimes. Bridging these research gaps will provide a more comprehensive understanding of victim assistance programs, ultimately leading to better support for victims and their families.

These findings are consistent with Restorative Justice Theory, which emphasizes the importance of repairing the harm caused by crime and fostering reconciliation among the victim, offender, and community. Scholars like Braithwaite (1989) and Zehr (2002) argue that involving victims actively in the criminal justice process and ensuring their voices are heard strengthens the rule of law and promotes a just society. This theory underscores that addressing victims' needs and rights is fundamental to achieving justice and fostering a peaceful community.

The study revealed that participants identified specific instances where these restorative justice principles have been effectively applied in Kenya. For example, practices reflecting these principles have been implemented to support victims and integrate them into the justice process, aligning with the views of scholars such as Johnstone (2002) and Marshall (1999), who highlight the role of restorative justice in creating more inclusive and effective support systems. To this end, one of the respondent stated that:

Many victims require legal assistance, such as help navigating the criminal justice system or obtaining restraining orders. Providing access to legal support is often a central aspect of victim assistance. It is essential to guarantee victim support programmes' long-term viability. To ensure this, it is necessary to provide consistent funding, conduct regular staff training, and create policies and processes that are resilient to shifts in leadership (Respondent 1).

To enhance support for crime victims, it is crucial to explore greater cooperation and coordination between victim service organizations and other relevant agencies. Evaluating and improving prevention efforts can significantly contribute to reducing victimization. Understanding and addressing the specific challenges faced by victims of environmental crimes, and tailoring assistance programs accordingly, are essential for effectively managing environmental crimes. Bridging these research gaps will provide a more comprehensive understanding of victim assistance programs, ultimately leading to better support for victims and their families.

These findings are consistent with Restorative Justice Theory. Likewise, Scholars like Braithwaite (1989) and Zehr (2002) argue that involving victims actively in the law enforcement and justice governance whilst capturing their voices strengthens the legal rule and promotes a just society. This theory underscores that addressing victims' needs and rights is fundamental to achieving justice and fostering a peaceful community.

The study revealed that participants identified specific instances where these restorative justice principles have been effectively applied in Kenya. For example, practices reflecting these principles have been implemented to support victims and integrate them into the justice

process, aligning with the views of scholars such as Johnstone (2002) and Marshall (1999), who highlight the role of restorative justice in creating more inclusive and effective support systems.

The statement from respondent 1, highlighting the necessity of legal assistance for victims such as help navigating the criminal justice system or obtaining restraining orders aligns closely with the findings of the study and the principles of Restorative Justice Theory. This respondent emphasizes the importance of integrating comprehensive legal support into victim assistance programs, reflecting the views of scholars like Fattah (1999) and Carlin (2012), who argue that access to legal resources is crucial for victims' recovery and effective engagement with the justice system.

The study's findings, which demonstrate that restorative justice principles have been recognized in Kenya, underscore the importance of creating victim-centered support systems. By incorporating practices that reflect these principles, such as involving victims in the justice process and addressing their specific needs, programs can enhance their effectiveness. This is consistent with the arguments of Braithwaite (1989) and Zehr (2002), who highlight that restorative practices, when integrated into support systems, can significantly improve victims' experiences and outcomes. This aligns with the respondent's view that legal assistance is a central aspect of victim support, as access to necessary legal aid can greatly impact victims' ability to navigate the justice system and secure protective measures, thus facilitating their recovery.

Furthermore, the respondent's emphasis on the long-term viability of victim support programs through consistent funding, regular staff training, and resilient policies reflects the need for robust and sustainable support mechanisms. This need for stability and adaptability in victim assistance programs is echoed by scholars such as Dignan (2005) and Haines (2009), who stress the importance of effective legal and policy frameworks in ensuring the success and resilience

of victim support initiatives. Legal and policy frameworks can either support or hinder the delivery of victim assistance, and ensuring their resilience to changes is crucial for maintaining program effectiveness.

Incorporating cross-cultural perspectives and economic considerations into the evaluation of victim assistance programs further supports the respondent's call for a holistic approach. Understanding the impact of cultural factors and ensuring appropriate resource allocation are vital for tailoring programs that are alert to the diverse vulnerabilities of survivors of crime. This standpoint is supported by scholarly work of Christie (1986) and Daly (2002), who emphasize the importance of cultural sensitivity and resource management in developing effective victim support systems.

Overall, the connection between the respondent's statement and the study's findings illustrates the importance of a comprehensive, victim-centered approach. This approach, which includes robust legal support, consistent funding, and adaptable policies, is imperative for creating impactful and empowering enabling structures for victims. The principles outlined by Viswanathan (2012), alongside the insights from scholars like Fattah (1999), Braithwaite (1989), Zehr (2002), Dignan (2005), and Daly (2002), collectively highlight the need for an integrated, well-supported framework to enhance victim assistance and recovery.

4.4 Extent to Which Governance Mechanisms in Kenya Respond to the Expectations of Crime Victims

The second objective of the study was to assess the extent to which governance mechanisms in Kenya respond to the needs of crime victims through the perspectives of crime victims and relevant stakeholders. The respondents were asked to respond to statements. *Key: 1- Agree, 2- Not sure, 3-Disagree.* The results are presented in Table 6.

Table 6*Governance Mechanisms Response to the Needs of Crime Victims in Kenya*

| Statement | Agree | | Not Sure | | Disagree | |
|--|-------|------|----------|------|----------|------|
| | F | % | F | % | F | % |
| The Kenya constitution has well spelt out mechanisms for addressing the victim rights and services | 69 | 67.6 | 18 | 17.6 | 15 | 14.7 |
| There exists victim assistance laws, policies and programmes formulated by the government of Kenya in support of clear target crime victims and timelines within which they are to be implemented | 57 | 55.9 | 30 | 29.4 | 15 | 14.7 |
| Victim Assistance Programmes(or Victim Support Services) are strong and well known by those residing in Kenya | 18 | 17.6 | 30 | 29.4 | 54 | 52.9 |
| The Kenyan public agencies responsible for Victim Support Services are well resourced by the national government to manage victim needs and support | 12 | 11.8 | 24 | 23.5 | 66 | 64.7 |
| There exists an Act of Parliament in Kenya that supports victims of crimes in Kenya | 87 | 85.3 | 12 | 11.8 | 3 | 2.9 |
| There exists a policy in Kenya dedicated to Crime Victim Support services | 96 | 94.1 | 3 | 2.9 | 3 | 2.9 |
| The Kenya constitution, Acts of parliament and government policies provide for public participation and inclusivity of crime victims and relevant stakeholders who handle crime victims in their formulation | 39 | 38.2 | 42 | 41.2 | 21 | 20.6 |
| Victims of crime in Kenya receiving sufficient support | 6 | 5.9 | 30 | 29.4 | 66 | 64.7 |
| Does the criminal justice system in Kenya re-victimise crime victims?(Re- victimise here means to make one who is already a victim, a victim again) | 51 | 50.0 | 36 | 35.3 | 15 | 14.7 |
| All crime victims in Kenya receive victim support services | 3 | 2.9 | 18 | 17.6 | 81 | 79.4 |

Source: Field Data, 2024

Table 4 indicates that a significant majority of respondents, comprising 67.6%, agreed that the Kenyan constitution has well-defined mechanisms for addressing victim rights and services. Similarly, 85.3% acknowledged the presence of legislation in the form of an Act of Parliament that supports victims of crimes in the country.

However, the perception regarding the visibility and strength of victim assistance programs seemed less optimistic. Only 17.6% believed these programs were well-known and robust among Kenyan residents. Moreover, a mere 11.8% agreed that the public agencies responsible for victim support services were adequately resourced by the national government.

Despite the recognition of legal frameworks and policies, there were concerns about their

implementation and effectiveness. While 55.9% acknowledged the existence of victim assistance laws, policies, and programs, 64.7% doubted if victims of crime in Kenya were receiving sufficient support.

Moreover, half of the respondents (50.0%) expressed apprehension about the potential re-victimization of crime victims within the criminal justice system. This suggests a prevailing concern regarding the treatment of victims during legal proceedings. Regarding inclusivity and public participation in policy formulation, the responses were more varied. While 38.2% acknowledged the provision for public participation and inclusivity, 41.2% were unsure, indicating a need for more clarity and transparency in these processes.

The findings suggest both strengths and areas for improvement within the governance mechanisms addressing the needs of crime victims in Kenya. Enhancing awareness, resource allocation, and the effectiveness of support services, while ensuring the prevention of re-victimization are critical considerations for policymakers and stakeholders aiming to create a more responsive system for supporting victims of crime in the country.

In the context of victim assistance initiatives in Kenya, there is a diverse range of perspectives regarding the strengths and weaknesses of these programs. Stakeholders and crime victims, hold varying opinions based on their experiences and roles. Initiatives for victim support are usually viewed as crucial to improving crime victims' access to justice in Kenya. These programs give victims the assistance and tools they need to deal with the legal system (UNODC, 2018). Victim assistance programs in Kenya are generally acknowledged for their positive contributions in enhancing access to justice for crime victims. These programs play a crucial role in ensuring that victims can effectively navigate the legal system and access the support they need, whether it's through legal representation or other essential services.

One of the strength lies in the emotional and psychological support provided by these initiatives. Recognizing the profound trauma experienced by victims and their families, victim

assistance programs offer a vital lifeline in addressing these emotional and psychological challenges, aiding in the healing process. Victims and their family frequently value the counselling and psychological help that many victim assistance programs provide. This aids in treating the psychological damage brought on by victimization (UNODC, 2018)

Furthermore, these initiatives also contribute to raising awareness about victims' rights and the importance of victim support within the justice system. This is seen as strength in promoting a victim-centred approach (Omondi, 2013). Raising awareness is a pivotal step in ensuring that victims are aware of their rights and that the broader community understands the importance of victim support.

Collaboration is another key strength, as victim assistance programs often involve a network of stakeholders working in tandem. Effective victim assistance programs often involve collaboration among various stakeholders, including the police, lawyers, and judicial officers. This collaboration is generally seen as strength in ensuring a coordinated response to victims' needs (Nyamori, 2018). This collaborative effort helps ensure a coordinated response to victims' diverse needs, enhancing the efficiency and effectiveness of the services offered.

Moreover, the provision of legal aid and advice is considered a significant strength of these programs. Victims' rights are protected and upheld through the provision of appropriate legal representation, which is crucial in navigating the complex legal landscape in Kenya. Victims can learn their legal rights and options with the assistance of numerous programs that offer legal aid and consultation. This is regarded as a major asset for guaranteeing victims have competent legal counsel (Chikoko, 2013). Despite these strengths, there are several notable weaknesses in the victim assistance landscape in Kenya. One significant challenge is the limited availability of resources, both in terms of finances and human resources. These limitations can hinder the effectiveness of these initiatives, particularly in reaching and assisting all victims in need. A prevalent shortcoming is the restricted availability of financial

and human resources necessary to sufficiently implement victim assistance initiatives. This may reduce these programmes' efficacy (Omondi, 2013).

4.4.1 Challenges That Undermine the Success of Crime Victim Assistance Programmes

The study also sought to find out the challenges that undermine the success of crime victim assistance programs. The participants highlighted several challenges undermine the effectiveness of crime victim assistance programs. They pointed out that financial constraints and a lack of funding can limit resources for helping victims. Corruption within investigating agencies can result in the misuse or diversion of funds meant for victim assistance, diminishing their effectiveness. Moreover, inadequate manpower and staffing, as well as poor workmanship among personnel may delay or hamper the delivery of services to victims. Legislative gaps and a lack of proper legal and policy frameworks can hinder the implementation of victim assistance programs. Furthermore, duplication of roles and responsibilities among agencies and organizations can lead to inefficiency and a lack of accountability in providing services. These challenges highlight the importance of addressing systemic issues, such as financial constraints, corruption, legislative gaps, and lack of awareness, to ensure effective support and services for crime victims.

In addition, crime victims face varied challenges when interacting with the criminal justice system in Kenya. These challenges can include a lack of guidance and assistance, lengthy processes, intimidation, sexual harassment, corruption, slow action or inaction, lack of information on available services such as the Witness Protection Agency, lack of knowledge, delayed hearings, lack of legal representation, re-victimization, lack of support and aftercare services, lack of coordination between justice agencies, delayed prosecution, intimidation or interference by the perpetrators of crime, corruption, lack of empathy, lack of a unified system to address their needs, manipulation of laws, poor judgments, lack of resources, having to retell their stories repeatedly, delays in justice due to lengthy court processes, poor follow-up on

warrants of arrest, interference by accused parties, lack of knowledge and fear of being victimized by authorities, and untrained police officers.

In line with the findings above, the interviewees were asked to point the challenges they would say undermined the efficacy of the legal and policy framework and strategies in managing victim support services in Nairobi County. In response, one of the interviewees said:

The Victim Protection Board is a body unincorporated therefore lacks the capacity to carry out some of the responsibilities bestowed on by section 32 of the VPA 2. There were also challenges related to inadequacy of human resource, inadequate funding, lack of equipment and office space, lack of autonomy of the Board, lack of an organizational structure, conflicting provision in Victim Protection Act, 2014, low public awareness on victim rights, non-representation of the Judiciary in the Board, austerity measures - threats of budgetary allocation being slashed, bureaucracy (stifling of the progress of the board's activities by other offices), conflict of interest, political influence, change in law, emergence of similar organizations with similar functions, no public confidence in the Board due to lack of information on the operations of the Board, compensation costs may be expensive with threats of influx of claims, fictitious claims, lack of cooperation and goodwill from stakeholders, heightened public expectations, impunity and lack of rule of law and corruption leading to diversion of resources (Respondent 14).

The challenges facing the Victim Protection Board (VPB) as revealed by Respondent 14, highlight significant deficiencies in its governance capacity, deeply rooted in structural and organizational weaknesses. Scholars such as Lipsky (1980) have long emphasized the importance of formal incorporation and a well-defined organizational framework for effective public administration. The VPB's lack of formal recognition and structural coherence critically impairs its operational effectiveness, mirroring concerns raised by scholars like Christensen and Laegreid (2007) about the importance of clear institutional frameworks for operational success. Without a robust legal standing and organizational structure, the VPB struggles to execute its responsibilities as mandated by Section 32 of the Victim Protection Act (VPA) 2014, resulting in inefficiencies that hamper its resource management and ability to fulfill its objectives.

In addition to structural issues, the VPB faces severe human resource and financial constraints. The scarcity of staffing, inadequate funding, and threats of budget cuts due to austerity measures echo findings by scholars such as Bourn and Lindsay (2006), who discuss the impact

of financial and human resource limitations on organizational effectiveness. These constraints hinder the Board's capacity to maintain necessary equipment and office space, and to implement its programs sustainably. Such resource shortages not only affect operational efficiency but also impede the Board's ability to comprehensively address victim needs, as highlighted by scholars like McConnell (2010), who address the impact of resource constraints on public service delivery.

Further compounding these challenges are issues related to autonomy, legal ambiguities, and public trust. The Board's lack of independence, bureaucratic inefficiencies, and political interference reflect concerns raised by scholars such as Moulton (2009) and Peters (2010), who emphasize the critical role of institutional autonomy and effective governance in ensuring organizational effectiveness. Legal conflicts within the Victim Protection Act create operational ambiguities, while low public awareness and confidence undermine the Board's credibility, consistent with findings by scholars like Moore (2003) and Roberts (2005) on the importance of public trust and stakeholder engagement in public administration. Additionally, challenges in stakeholder cooperation, alongside issues of corruption and impunity, further hinder the Board's effectiveness, as discussed by authors like Johnston (2005) and Rose-Ackerman (2008). Addressing these multifaceted issues is crucial for enhancing the VPB's capacity to provide effective support to victims and fulfill its legislative mandate.

These challenges can significantly impact the ability of victims to access justice and receive support during the legal process. More needs to be done to address these challenges and ensure that crime victims in Kenya receive the support and assistance they need during interactions with the criminal justice system.

Recognizing the profound trauma experienced by victims and their families, victim assistance programs offer a vital lifeline in addressing these emotional and psychological challenges, aiding in the healing process. Victims and their family frequently value the counselling and

psychological help that many victim assistance programs provide. This aids in treating the psychological damage brought on by victimization.

To this end, another stakeholder noted that:

Victim assistance programs in Kenya are important for their positive contributions in enhancing access to justice for crime victims. These programs play a crucial role in ensuring that victims can effectively navigate the legal system and access the support they need, whether it's through legal representation or other essential services. (Respondent 3).

There is a diverse range of perspectives regarding the strengths and weaknesses of these programs. Stakeholders, including crime victims, their families, law enforcement officers, legal professionals, and judicial officials, hold varying opinions based on their experiences and roles. Initiatives for victim support are usually viewed as crucial to improving crime victims' access to justice in Kenya. These programs give victims the assistance and tools they need to deal with the legal system.

Despite these strengths, there are several notable weaknesses in the victim assistance landscape in Kenya. One significant challenge is the limited availability of resources, both in terms of finances and human resources. These limitations can hinder the effectiveness of these initiatives, particularly in reaching and assisting all victims in need. A prevalent shortcoming is the restricted availability of financial and human resources necessary to sufficiently implement victim assistance initiatives. This may reduce these programmes' efficacy (Omondi, 2013).

4.4.2 The Legal, Policy, and Institutional Framework in Kenya that Addresses Crime Victim Assistance Programs

The study sought to find out the legal and policy instruments that are in place for guiding protection and support of crime victims in Kenya. Firstly, interview participants highlighted various legal and policy documents as shown in Table 7 below.

Table 7***Legal and Policy Documents***

| Legal and Policy Document | |
|----------------------------------|--|
| i. | The Constitution, 2010 |
| i. | Protection Against Domestic Violence Act |
| i. | Bail and Bond Policy |
| 7. | Decision to Charge Policy |
| 7. | The Victim Protection Act, 2014 |
| i. | The Witness Protection Act, 2006 |
| i. | Nairobi Declaration on Women's and Girls' Right to Remedy and Reparation, (March 2007) |
| i. | The National Coroners Service Act, 2017 |
| c. | United Nations (UN) Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power |
| c. | European Convention on the Compensation of Victims of Violent Crimes, adopted on 24 th November, 1983 and entered into force on 1 st February, 1998 |
| i. | The Minnesota Protocol on the Investigation of Potentially Unlawful Death (2016) (the Revised United Nations Manual on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions) |
| i. | The Istanbul Protocol (Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment) |
| i. | United Nations Guidelines on Justice in Matters Involving Child Victims and Witnesses of Crime |
| 7. | General Comment No.4 on the African Charter on Human and Peoples Rights: The Right to Redress for Victims of Torture and Other Cruel, Inhuman or Degrading Punishment or Treatment (Article 5) |
| 7. | Convention on the Elimination of All Forms of Discrimination against Women |
| i. | The Criminal Procedure Code, CAP 75 |
| i. | Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law (Adopted by General Assembly resolution 60/147 of 16 December 2005) |

Source: Research: Primary and Secondary data

The findings show that the legal, policy, and institutional framework in Kenya that addresses crime victim assistance programs is multifaceted, comprising various laws, regulations, and agencies. The Victim Protection Act, Witness Protection Policy, and Victims Trust Fund are some of the legislative instruments in place to safeguard victims' rights and provide them with the necessary support and assistance.

The Witness Protection Agency plays a crucial role in protecting witnesses and victims who are involved in criminal proceedings, ensuring their safety and well-being. The Independent Medical Legal Unit and International Justice Mission are additional organizations that offer assistance to victims, particularly in cases involving violence or abuse.

Furthermore, the Constitution of Kenya, Criminal Procedure Code, and Penal Code contain

provisions that protect victims' rights and guide the judicial process. Various government agencies, such as probation and prisons, and non-governmental organizations (NGOs) that focus on human rights also contribute to victim assistance efforts. To this end, the respondents were asked to point out the role that non-state actors played in victim support services in Kenya. In response, one of the interview participants said:

Non-state actors are the cornerstone of a functioning participatory democracy helping uphold the rule of law and implementing fundamental rights. They are an integral part of victim support as they ensure that victims' rights are exercised, regardless of governmental political aims. They do this in various ways: provide oversight, carry out important advocacy works, bring strategic and special interest cases on behalf of crime victims to court, ensure that national and international jurisprudence create a legal framework for victims' rights, initiate synergised interventions and, allocate resources (finances, HR, office space and any other requirement) and assist in legislative drafting (Respondent 8).

The Victims Protection Act, the Counter-Trafficking in Persons Act, and the Prevention of Terrorism Act are other legislative frameworks that address specific aspects of victim protection and assistance, such as compensation for victims of terrorism or those affected by trafficking. The establishment of the National Counterterrorism Centre and the Counter-Trafficking in Person Secretariat reflects the government's commitment to addressing these issues at a national level.

In addition to these legal and policy frameworks, CSOs such as CREAW and FIDA also play a crucial role in supporting victims and advocating for their rights. These organizations work to raise awareness, provide legal aid, and offer other forms of support to victims, thereby complementing the efforts of government agencies.

Respondents were asked if they were of the view that the institutional strategies used by the state actors had been effective in the management of the physical, emotional, legal and financial needs of victims to help them navigate the criminal justice system. They were to also answer

what indicators they could point to in justifying their response of either effectiveness or ineffectiveness of the strategies. One of the respondents said that:

Victims are being treated with compassion and respect for their dignity. They are entitled to access to the mechanisms of justice and to prompt redress, as provided for by national legislation, for the harm that they have suffered. Judicial and administrative mechanisms have been established and strengthened where necessary to enable victims to obtain redress through formal or informal procedures that are expeditious, fair, inexpensive and accessible. Victims should be informed of their rights in seeking redress through such mechanisms. The responsiveness of judicial and administrative processes to the needs of victims should be facilitated by: Informing victims of their role and the scope, timing and progress of the proceedings and of the disposition of their cases, especially where serious crimes are involved and where they have requested such information; The views and concerns of victims should be presented and considered at appropriate stages of the court proceedings where their personal interests are affected, without prejudice to the accused and consistent with the relevant governance provisions of national criminal justice system; Providing proper assistance to victims throughout the legal process; Taking measures to minimize inconvenience to victims, protect their privacy, when necessary, and ensure their safety, as well as that of their families and witnesses on their behalf, from intimidation and retaliation and; gAvoiding unnecessary delay in the disposition of cases and the execution of orders or decrees granting awards to victims (Respondent 10).

Respondent 10's statement provides a detailed assessment of the effectiveness of institutional strategies employed by state actors in addressing the physical, emotional, legal, and financial needs of crime victims. This response highlights several key indicators of effectiveness in victim support within the criminal justice system. According to the respondent, the effectiveness of these strategies is evidenced by the treatment of victims with compassion and respect, access to justice mechanisms, and prompt redress for harm suffered. The respondent emphasizes that judicial and administrative mechanisms should be established and strengthened to ensure victims can obtain redress through procedures that are expeditious, fair, inexpensive, and accessible.

This perspective aligns with the principles outlined by scholars like Martha Fineman (2008) and Michael Tonry (2011), who advocate for comprehensive and victim-centered approaches in the criminal justice system. Fineman argues that respect for the dignity of victims and access to justice are essential components of an effective victim support system. Similarly, Tonry

highlights the need for judicial and administrative mechanisms that accommodate the needs of victims, ensuring that they are informed about their rights and the progress of their cases. These elements are critical for enhancing the responsiveness of judicial and administrative processes to the needs of victims.

Respondent 10 also emphasizes the importance of informing victims about their roles, the scope and timing of proceedings, and the disposition of their cases. This is consistent with the views of scholars like John Braithwaite (1989) and Howard Zehr (2002), who stress that victim involvement and transparency in the justice process are crucial for ensuring fairness and addressing victims' needs. Braithwaite's concept of restorative justice underscores the need for victims to be kept informed and involved in proceedings, while Zehr's work emphasizes the role of victim engagement in achieving justice and healing.

Furthermore, the respondent's call for proper assistance to victims, protection of their privacy, and minimization of inconvenience reflects the principles of victim protection and safety outlined by scholars like Shapland et al. (2007) and Koss et al. (2014). Shapland and colleagues discuss the importance of providing appropriate support throughout the legal process and ensuring that victims' safety and privacy are prioritized. Koss and her co-authors also stress the need for measures to protect victims from intimidation and retaliation, which are critical for maintaining their well-being and ensuring their participation in the justice process.

In conclusion, the statement from Respondent 10 aligns with established scholarly views on effective victim support strategies, emphasizing the need for compassion, transparency, and robust protection measures. These elements are crucial for creating a justice system that not only addresses victims' immediate needs but also fosters their long-term recovery and participation in the justice process. The alignment with academic perspectives reinforces the importance of implementing and continually improving these strategies to enhance the overall effectiveness of victim support mechanisms within the criminal justice system.

Furthermore, and concerning the legal, policy and institutional framework identified above 72(70.6%) of the respondents stated that the legal instruments were not adequate in addressing the needs and concerns of crime victims. On the other hand, 30(29.4%) stated that the instruments were adequate as shown in Figure 6.

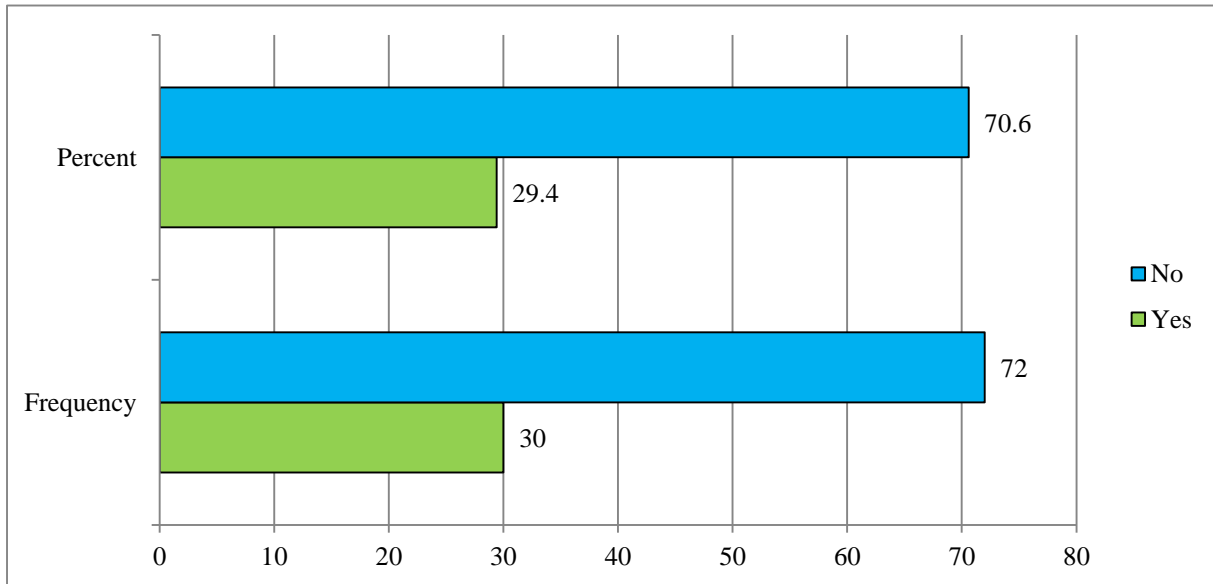


Figure 6

Adequacy of legal, policy and institutional framework in addressing crime victims

Source: Field data, 2024

The reasons for responding 'no' varied among the respondents. Some cited minimal victim support services, which they believe only, extend to victims who are aware of the services. Others pointed out inadequate frameworks for implementation or compensation for victims. Several mentioned that the witness protection unit is inaccessible, while others criticized probation officers for not being proactive in gathering information. Some respondents blamed a lack of resource mobilization and insufficient awareness and sensitization. Others highlighted inadequate implementation of existing acts, weak linkage between victims and institutions, and a focus on women victims to the neglect of male victims.

Many respondents lamented existing legal and policy framework gaps and poor implementation of the Victim Protection Act. Some pointed out the need for amendments to

existing laws and standing orders, and the dependence on donor support, coupled with understaffing, as contributing factors. In view of these sentiments, the interview participants were asked to point out, in addition to the laws and policies they had cited, if there were emerging and relevant victims' services management gaps that had not taken care of in the existing framework that had been presented to the government to be considered for enactment or adoption. In response, one of the respondents said:

Modification of the Criminal Procedure Code to comply with the Victim Protection Act's requirements for victim participation in criminal proceedings. For example, under the CPC, the victim is prevented from making submissions at critical stages and only the accused and prosecution enjoy the opportunity to begin. It is necessary to alter the CPC to clearly state that victims have the right to cross-examine witnesses who are testifying. Black and white clauses under the CPC should represent this privilege, which has been upheld by legal authorities' jurisprudence. This increases the level of certainty in the criminal trial process. The Victim Protection Act ought to be revised to grant victims the ability to appeal in cases where criminal proceedings were handled improperly. The CPC should then outline the requirements that must be followed in order for a victim to appeal trial court rulings. Procedures under the Victim Protection Act, which govern pre-trial proceedings, ought to be enacted. To direct the implementation of various administrative policies by organisations such as the ODPP and National Police Service, explicit protocols regarding victim participation in investigations and active involvement in the decision to bring charges must be established (Respondent 8).

Furthermore, another interview participant said:

The budget rarely takes care of the victims, so, that has slowed down implementation of the Victims Protection Fund. Budgetary allocations have also slowed down setting up of a stand-alone Victims Protection Board's office. As things stand, it is housed under the AG, and that tokenism is not good (Respondent 9).

The lack of funds and political will, as well as the absence of policies and failure to implement laws, were also cited. Some respondents observed that victims are not aware of available support, and there is a need for more laws protecting victims, retribution, counseling, and aftercare. Some mentioned restrictions on protection under the act, and the inability to cater to all victims, as well as insufficient funding frameworks for the Victims Protection Program. To this end, one of the respondents said:

Budgetary constraints appear to be a significant hindrance to the effective implementation of victim support services, impacting initiatives such as the Victims Protection Fund and the establishment of a dedicated office for victim protection

(Respondent 4).

These findings align with the findings by Chikoko (2013) who found that inadequacy of legislation can leave victims feeling unprotected and underserved. As far as victims and their families are concerned, this can be a serious vulnerability. Stigmatization of crime victims and their families remains a pressing concern, deterring some from seeking assistance due to fear of societal attitudes and discrimination, underscoring the need for improved societal perceptions and support. Crime victims' and their families' stigmatization is still an issue. Some victims could choose not to ask for help out of concern for prejudice and attitudes in society as alluded by (Omondi, 2013).

When asked if they had confidence that the legal and policy framework in place had victims support services component incorporated in it? The respondents said that

The law has shifted the traditional parameters of a victim in a criminal case and therefore a victims' counsel can no longer be considered a passive observer in criminal proceedings. However, his/her participation cannot be active and parallel to that of the prosecutor. The Victim Protection Act gave the parameters of the victim's involvement during trial to include; the victim's views and concerns at various stages as the Court may determine either directly by the victim or his/her representative; at plea bargaining; at the level of sentencing or where a decision is likely to affect the right of the victim and not throughout the trial and parallel to the prosecution (Respondent 7).

The respondents indicated that the legal framework has evolved to redefine the role of victims in criminal cases, moving away from viewing them merely as passive observers. According to the Victim Protection Act, while victims' counsels are no longer passive participants, their role is limited and cannot run parallel to that of the prosecutor. Specifically, the Act allows for victim involvement at certain stages of the legal process, such as during plea bargaining, sentencing, or any decisions that directly affect the victim's rights. This structured involvement ensures that victims' views and concerns are addressed in a manner that is integral to the trial without overshadowing the prosecution's role (Respondent 7).

This shift aligns with the scholarly perspectives on procedural justice and restorative justice. Fricker (2007) and Ashworth (2006) argue that providing victims with a voice in specific stages of the legal process enhances procedural fairness by addressing historical and structural

injustices. Similarly, Braithwaite (1989) and Zehr (1990) advocate for victim participation to repair harm and address victim needs, while Van Ness and van Wormer (2007) emphasize balancing victim rights with maintaining a fair trial. Thus, Kenya's approach reflects a balanced integration of victim support services that respects both the victims' needs and the integrity of criminal proceedings.

The response from the respondents reflects a progressive but measured approach to integrating victim support services into Kenya's legal framework. The shift towards recognizing victims as more than passive observers aligns with global trends toward greater victim participation and recognition. However, the framework carefully delineates the scope of victim involvement, focusing on specific stages rather than allowing full participation throughout the trial. This balanced approach helps ensure that while victims' voices are heard, the integrity of the criminal justice process is maintained. It acknowledges the need for victims to be involved in decisions that directly affect them, such as plea bargains and sentencing, without granting them a parallel role to the prosecution. This perspective is supported by the scholarly works on procedural justice and restorative justice, which advocate for victim involvement in ways that contribute to fair outcomes without undermining the prosecutorial process. By incorporating victims' views in a structured manner, Kenya's legal framework seeks to respect victims' rights while maintaining the efficiency and fairness of criminal proceedings.

4.5 Strategic Interventions for Enhancing the Efficacy of the Governance Mechanisms in Addressing the Needs of Crime Victims

The third objective of the study was to propose the recommendations for enhancing the efficacy of the governance mechanisms in addressing the needs of crime victims. In this light, the study required the respondents to rate their level of agreement with the statements on a scale of: 1 = Strongly Agree (SA), 2 = Agree (A), 3 = Neutral (N), 4 = Disagree (D), 5=Strongly Disagree (SD). The results are presented in Table 8 below.

Table 8

Recommendations for Enhancing the Efficacy of the Governance Mechanisms in Addressing the Needs of Crime Victims (N=102)

| Statements | 1=SA | | 2=A | | 3=N | | 4=D | | 5=SD | |
|--|------|------|-----|-----|-----|-----|-----|-----|------|-----|
| | F | % | F | % | F | % | F | % | F | % |
| The Kenyan government should allocate more funding to victim support programs to improve their reach and impact. | 95 | 93.1 | 7 | 6.9 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| The coordination for government agencies in victim support should be improved to ensure seamless assistance for victims. | 97 | 95.1 | 5 | 4.9 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| The justice system in Kenya should be streamlined to reduce delays and ensure timely justice for crime victims. | 99 | 97.1 | 3 | 2.9 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| The legal framework in Kenya should be reviewed and updated regularly to ensure it adequately protects the rights of crime victims. | 97 | 95.1 | 4 | 3.9 | 1 | 1.0 | 0 | 0.0 | 0 | 0.0 |
| Special attention should be given to the needs of vulnerable groups, such as women, children, and individuals with disabilities, in victim support programs. | 92 | 90.2 | 10 | 9.8 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| Awareness campaigns should be conducted to inform victims and stakeholders about the existence and scope of victim support programs in Kenya. | 96 | 94.1 | 3 | 2.9 | 3 | 2.9 | 0 | 0.0 | 0 | 0.0 |
| Stakeholder collaboration, including partnerships between government agencies, NGOs, and community organizations, should be encouraged to enhance victim support services. | 100 | 98.0 | 2 | 2.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| Training and capacity-building programs should be provided to government officials, including law enforcement officers, prosecutors, and judges, to ensure they are equipped to effectively support crime victims. | 91 | 89.2 | 10 | 9.8 | 1 | 1.0 | 0 | 0.0 | 0 | 0.0 |

Source: Field data, 2024

Table 5 shows that there is a strong consensus (93.1%) that the Kenyan government should allocate more funding to victim support programs. This increased funding would help improve the reach and impact of these programs, ensuring that adequate resources are available to

provide necessary assistance to victims. Furthermore, respondents overwhelmingly agreed (95.1%) on the importance of improving coordination among government agencies involved in victim support. Enhanced coordination is crucial for ensuring seamless assistance for victims, avoiding duplication of efforts, and maximizing resources.

Another key recommendation is to streamline the justice system, as indicated by the high level of agreement (97.1%). Streamlining the system would help reduce delays and ensure timely justice for crime victims, addressing systemic issues that may hinder their access to justice. Regular review and updating of the legal framework are also deemed essential by respondents, with 95.1% agreeing on this recommendation. This includes strengthening laws and policies to better protect the rights of crime victims and address emerging challenges.

Additionally, special attention should be given to the needs of vulnerable groups, as supported by 90.2% of respondents. Tailoring victim support programs to meet the unique needs of women, children, and individuals with disabilities is crucial for ensuring inclusivity and effectiveness.

Awareness campaigns are also recommended to inform victims and stakeholders about the existence and scope of victim support programs, with 94.1% of respondents in agreement. Increasing awareness and accessibility of available services can help ensure that victims receive the assistance they need.

Encouraging stakeholder collaboration is another important recommendation, as indicated by the unanimous agreement (98.0%). Collaborative efforts between government agencies, NGOs, and community organizations can enhance the delivery of victim support services by leveraging diverse expertise and resources.

Finally, providing training and capacity-building programs to government officials is essential, with 89.2% of respondents in agreement. Equipping professionals, including law enforcement officers, prosecutors, and judges, with the necessary skills and knowledge is crucial for

effectively supporting crime victims.

These findings collectively reveal protection and support of crime victims are fundamental elements of a just and equitable society. A critical aspect of this effort is the responsiveness of the governance framework within a country. In Kenya, like many nations, the effectiveness of the governance framework in safeguarding the rights and well-being of crime victims plays a pivotal role in ensuring justice, healing, and restoration for those affected by criminal acts.

In Kenya, a number of government organizations are essential to the safety of victims of crime. These consist of the National Police Service, the Office of the Director of Public Prosecutions (ODPP), and the Directorate of Criminal Investigations (DCI). These organizations are specifically charged with looking into and prosecuting crimes as well as making sure victims are taken care of. The responsiveness of the governance system is directly impacted by how well these entities perform their duties.

Despite legislative efforts and the roles of various government institutions, several challenges persist. Inadequate funding for victim support programs is a significant hurdle, limiting the reach and impact of these initiatives. Coordination issues among government agencies and delays in the justice system further compound the challenges. Not to mention the unique specific needs of vulnerable groups, such as women, children, and individuals.

Despite these challenges, there are promising opportunities to highlight areas for improvement and inform policy recommendations as highlighted by one of the respondent who said:

Conducting a comprehensive evaluation of the Victim Protection Act is urgently needed to assess its legal and practical impact on victim welfare. At the same time, the scarcity of robust quantitative data on victim protection hampers a systematic understanding, and collecting such data can illuminate the prevalence of victimization and service utilization (Respondent 5).

The respondent's call for a comprehensive evaluation of the Victim Protection Act underscores the need for a systematic assessment of its effectiveness in addressing victim welfare. This evaluation is crucial for identifying gaps and improving the implementation of the Act.

According to Cohen and Felson (1979), understanding the legal and practical impacts of such policies requires robust data collection to illuminate the extent of victimization and the utilization of support services. Loeber and Farrington (2001) emphasize that comprehensive evaluations and systematic data gathering are essential for informed policy-making and effective intervention strategies. Collecting detailed quantitative data on victim protection, as highlighted by the respondent, can provide valuable insights into service gaps and areas for improvement. By addressing these issues and enhancing data collection, policymakers can better understand and respond to the needs of victims, ultimately leading to more effective and targeted support programs.

When asked to point out some of the institutional strategies used by state actors in managing crime victim support services in Kenya and especially in Nairobi County, one of the respondents said that:

Nairobi County acts as the seat of Kenya as its capital. It also plays host to a plethora of government and non-governmental institutions. The backbone of these institutions are the human personnel tasked with running them. These institutions have programs that provide social, psychological, emotional and financial support and that also help manage victim's participation in the criminal justice system. These programs should be victim-sensitive or victim-centered. This is where support services are offered to secure restoration of victims' emotional, mental, physical, legal or financial status. These institutions have developed the following strategies: Enhancing human resource capacity through trainings on what to look out for with regards to issues affecting victims; Improve work environment and infrastructure to cater for persons who are victims; Enhance public confidence-Organizations communicate openly and honestly about their policies, decisions and actions and explain the rationale and evidence behind them; Interagency collaboration-these institutions collaborate with each other; Develop an effective communication strategy; Develop ICT strategy where anonymous complaints can be made without physical presentation and; Compilation and documentation of victims of crime data-The data base is important in isolating the specific needs of the victims and tabulating areas of concern with regards to human rights violations (Respondent 11).

Respondent 11 observes that Nairobi County being the capital of Kenya, hosts a myriad of government and non-governmental institutions dedicated to managing crime victim support services. These institutions employ various strategies to address the needs of victims, providing a comprehensive range of social, psychological, emotional, and financial support. A key aspect

of their approach is ensuring that support services are victim-sensitive or victim-centered, focusing on restoring victims' emotional, mental, physical, legal, or financial well-being.

Several institutional strategies have been identified to enhance victim support in Nairobi County. First, there is a focus on improving human resource capacity through specialized training programs that equip personnel with the skills to recognize and address victim-related issues effectively. This aligns with Schafer's (1968) assertion that training is crucial for professionals working with victims to ensure they provide appropriate and empathetic support. Additionally, improving work environments and infrastructure to accommodate victims reflects Piliavin and Briar's (1964) findings that physical and organizational environments significantly impact the quality of support services. Enhancing public confidence through transparent communication about policies and decisions is also vital, as noted by Fukuyama (1995), who emphasizes that public trust is built through openness and accountability.

Interagency collaboration is another crucial strategy, fostering a coordinated approach among institutions to deliver comprehensive victim support Davis & Soubiran, (2008). Developing effective communication strategies and ICT solutions, such as anonymous reporting mechanisms, supports Meyer and Fiss (2009), who highlight the importance of accessible and secure reporting channels for victims. Finally, the compilation and documentation of victim data is essential for understanding specific needs and addressing human rights violations, as emphasized by Herman (1992), who argues that systematic data collection is fundamental for effective victim advocacy and policy development.

By implementing these strategies, Nairobi County's institutions strive to create a supportive environment that not only addresses the immediate needs of victims but also fosters long-term improvements in victim support services.

In close attention criminal justice actors, another respondent said:

DPP has the responsibility of facilitating judicious application of the bail and bond policy so that the voice of the victim is considered in opposing bail/bond and also decision to charge. There exists DPP delegated officers in every criminal court within Nairobi-Milimani, Nairobi Children's court, Kibera, Makadara, Nairobi City Court and JKIA. Witness protection agency - considering victim witnesses and other witnesses who may need protection. Again, limited funding has slowed down their operations. They are currently housed at Milimani Law Courts, another hindrance to their full operations. Health care professionals who give support to the victims through the various government facilities located in each sub county within Nairobi. The Victim Protection Board to address the immediate needs and psycho-social support to victims through assessments, protection in liaison with WPA and actual support. The Department of Children Services, registered children's homes offer safe houses for child victims in situations where they stand exposed. An example is Nairobi remand home in Kabete. Judiciary - enhancing victim participation in criminal proceedings and fair judgment in the interest of justice. There are at least 5 criminal courts in Nairobi City County-JKIA, Milimani, Nairobi Children's court (Milimani), Makadara and Kibera and Nairobi City Court. Probation and after care services - They compose the probation reports that incorporate the wishes of the victims and the support needed for the victim, as well as most ideal sentence considering all the social circumstances. There are probation officers in each of the 17 sub counties within Nairobi City County. The prisons ensure that convicted offenders serve the sentence, as a deterrence and other motives behind criminal processes. There are 3 prisons within Nairobi City County: Industrial Area, Lang'ata Womens and Nairobi West. Kamiti maximum prison, though located in Kiambu, also takes in prisoners from Nairobi City courts (Respondent 9).

The diverse array of institutions and mechanisms in Nairobi City County demonstrates a concerted effort to address victim support and ensure justice within the criminal justice system.

The Office of Director of Public Prosecutions (ODPP) plays a critical role in the equitable application of bail and bond policies, ensuring that victims' voices are considered in decisions related to bail and charging (Respondent 9). Delegated DPP officers stationed at various criminal courts across Nairobi such as Milimani, Nairobi Children's Court, Kibera, Makadara, Nairobi City Court, and JKIA are instrumental in this process, working to uphold victims' interests.

The Witness Protection Agency also plays a pivotal role in safeguarding victim witnesses and other key witnesses, although its effectiveness is hampered by limited funding and inadequate facilities at the Milimani Law Courts (Respondent 9). This aligns with Langer and Kahn's (2007) observations on the crucial role of resource allocation and infrastructure in the

effectiveness of witness protection programs. Healthcare professionals provide essential support through government facilities in each sub-county, contributing to victims' overall well-being. The Victim Protection Board complements these efforts by addressing immediate needs and providing psycho-social support, collaborating with the Witness Protection Agency to ensure comprehensive care (Respondent 9). Erez and Belknap (1998) highlight the importance of coordinated multi-agency efforts in victim support.

The Department of Children Services, through registered children's homes such as the Nairobi Remand Home in Kabete, offers safe housing for child victims, which is vital in protecting vulnerable youth from further harm (Respondent 9). This is consistent with Schneider and Smith's (2000) findings on the necessity of specialized safe spaces for child victims. The Judiciary's commitment to enhancing victim participation and ensuring fair judgments is reflected in the presence of multiple criminal courts across Nairobi, aiming to balance justice and victim involvement (Respondent 9). Barton and Maruna (2009) emphasize that victim participation in proceedings is crucial for achieving fair and just outcomes.

Probation and aftercare services, which provide detailed probation reports incorporating victims' needs and preferences, play a significant role in sentencing and rehabilitation. The presence of probation officers in each of Nairobi's 17 sub-counties ensures that victim perspectives are considered in the sentencing process (Respondent 9). This aligns with Tonry's (1996) assertion that integrating victim input into sentencing can improve justice outcomes. Finally, the role of prisons in ensuring that offenders serve their sentences, with facilities including Industrial Area, Lang'ata Women's, Nairobi West, and Kamiti Maximum, underscores the importance of maintaining justice and deterrence within the criminal process (Respondent 9). Cohen (1985) discusses the role of incarceration in deterrence and societal protection, supporting the ongoing efforts of the prison system in Nairobi.

Overall, the interplay between these institutions and their strategies highlights a multifaceted

approach to victim support and justice, though challenges such as funding and infrastructure remain critical areas for improvement.

The findings show that responsiveness of the governance framework in protecting crime victims in Kenya is a critical element in ensuring justice and support for those affected by criminal acts. The legal framework, government institutions, and challenges in victim protection all influence the effectiveness of this framework. Assessing its impact on crime victims and implementing recommended improvements are essential steps in creating a more compassionate and responsive governance framework for victim protection in Kenya.

The findings align with the procedural justice theory which focuses on the fairness and transparency of the legal process. It asserts that respecting victims' rights and ensuring they are treated with dignity and respect by legal authorities enhances the legitimacy and compliance with the rule of law. When victims perceive the legal system as fair and just, it reinforces public trust and adherence to the law.

4.5.1 Strategic Interventions for Enhancing the Efficacy of the Governance Mechanisms in Addressing the Needs of Crime Victims

The respondents offered various suggestions to address the identified gaps in Kenya's crime victim assistance programs. These suggestions include raising public awareness about available victim support services, improving financial support for these programs, and providing training and capacity building for judicial system personnel and other stakeholders. Additionally, there is a call for ongoing sensitization efforts within the justice sector and the implementation of mandatory reporting mechanisms to ensure continuous support for victims throughout legal proceedings. Strengthening the legal framework through policy formulations and enforcement, as well as allocating sufficient funds and resources to victim assistance agencies, is also emphasized. Furthermore, there is a need for increased awareness campaigns to enhance accessibility to victim support services and the development of better legal frameworks to

protect victims' rights. Overall, these suggestions aim to enhance the effectiveness and accessibility of victim assistance programs in Kenya, ensuring that victims receive the necessary support and protection they deserve.

Participants in the interview were also asked to highlight any ideas they had for improving the implementation of responsive governance measures established by the Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Serious Violations of International Humanitarian Law and Gross Violations of International Human Rights Law (adopted by General Assembly resolution 60/147 of 16 December 2005) for victims of human rights violations.

In response, one of the interview participants said:

It is imperative that the Department of Justice develop policy measures that facilitate coordination among state institutions tasked with enforcing victims' rights within the criminal justice system. In addition to legal courts recognizing victims' rights, concrete steps that grant victims equal standing throughout pre-trial phases characterized by administrative bureaucracies must be taken. The government ought to enact laws that encourage the participation of non-governmental organizations (NGOs) and civil groups, as they are better equipped to provide expert victim support services such as professional treatments. The purpose of these treatments is to treat the physical, psychological, and emotional injuries brought on by criminal activity. The fact that NGOs and civil groups are involved acknowledges that the government has limited budgetary resources available to allocate for the full implementation of the Victim Protection Act (Respondent 5)

The respondent's insights into enhancing the implementation of responsive governance measures for victims of human rights violations highlight several critical areas for improvement. According to the participant, the Department of Justice must develop policies that facilitate better coordination among state institutions responsible for upholding victims' rights within the criminal justice system. This approach emphasizes the need for an integrated framework that ensures victims' rights are consistently upheld across all phases of the legal process, particularly during pre-trial stages which are often marked by administrative complexities.

Tavuchis (1991) underscores the importance of systemic coordination and integration for

effective victim support, arguing that a fragmented approach can undermine the efficacy of victim services and the overall justice process. The respondent's suggestion that NGOs and civil groups should be actively involved reflects a broader recognition of the limitations faced by government agencies, particularly in terms of budgetary constraints. Rosenberg (2012) supports this view, noting that non-governmental organizations often possess specialized expertise and resources that can complement and enhance state-led efforts, particularly in providing professional treatments for physical, psychological, and emotional injuries sustained by victims.

The participant also advocates for legislative measures to encourage the involvement of NGOs and civil groups, which aligns with Merry's (2006) argument that effective victim support requires a collaborative approach, leveraging the strengths of both state and non-state actors. This collaboration is crucial for addressing the complex and multifaceted needs of victims, which often extend beyond the capabilities of government institutions alone.

Furthermore, Simmons (2009) highlights that comprehensive policy measures and institutional coordination are vital for the full implementation of frameworks like the Basic Principles and Guidelines on the Right to a Remedy and Reparation. Effective coordination ensures that victims' rights are not only recognized but also actively supported throughout the legal process. In summary, the respondent's recommendations for improving the implementation of victim support measures reflect a well-founded recognition of the need for enhanced coordination, legislative support, and the strategic involvement of NGOs and civil groups. These strategies align with scholarly perspectives on the importance of integrated approaches and collaborative efforts in addressing the complex needs of victims of human rights violations.

4.6 Chapter Summary

The study on crime victim assistance in Kenya reveals a nuanced picture, with a 64% response rate and a diverse sample of respondents, most of whom were highly educated and experienced

professionals. A significant majority (73.5%) had personal experience as crime victims, and 82.4% were familiar with successful victim assistance programs. Key institutions like IPOA and various civil society organizations play crucial roles in supporting victims, although challenges such as accessibility, funding, and the effectiveness of these programs were highlighted. While the Kenyan constitution and related legislation support victim rights, many respondents expressed concerns about the visibility, effectiveness, and resourcing of victim support services. Issues such as financial constraints, corruption, and gaps in legal and policy frameworks further undermine the success of these programs, with the Victim Protection Board facing particular challenges related to structural weaknesses and public mistrust.

To address these challenges, the study recommends strategic interventions, including increasing funding for victim support programs, improving coordination among government agencies, and streamlining the justice system. Enhancing infrastructure, human resources, and training for officials is also essential, as is leveraging ICT for anonymous reporting and public awareness campaigns. Respondents emphasized the need to focus on vulnerable groups and enhance legal frameworks to better address the needs of crime victims. Overall, the findings stress the importance of a comprehensive, victim-centered approach, with improvements in legal frameworks, funding, coordination, and public awareness crucial for more effective crime victim assistance in Kenya.

CHAPTER FIVE

SUMMARY, CONCLUSION AND RECOMMENDATIONS

5.1 Introduction

Using a case study of crime victims support services (CVSS) in Kenya, the overall endgame of this exploration is to inquire into how responsive government moulds personal security. The following goals served as the foundation for the study: to investigate the fundamental ideas of responsive governance that underpin the effectiveness of victim assistance programs (Victim Support Services); to evaluate the degree to which Kenyan governance mechanisms address the needs of crime victims from the viewpoints of victims and pertinent stakeholders; and, finally, to pinpoint strategic interventions for boosting the efficacy of the governance mechanisms in addressing the needs of crime victims. Additionally, the study presents suggestions for improving CVSS in order to increase the contribution of responsive governance to personal security. The chapter begins with summarizing the results in accordance with the previously mentioned study objectives.

5.2 Summary of the Study Findings

5.2.1 The Key Principles of Responsive Governance that Contribute to the Success of Victim Assistance Programs (Crime Victim Support Services- CVSS)

The study focused on identifying the key principles of responsive governance that contribute to the success of crime victim support services (CVSS) in Kenya. It found that a majority (73.5%) of respondents had personal experience with crime victimization, and 82.4% were familiar with factors contributing to successful victim assistance programs. These programs, such as Opportunity Motivation and Victim Protection, play crucial roles in providing comprehensive support, including counseling, medical aid, legal representation, and witness protection.

However, the findings highlight significant challenges that hinder the effectiveness of these

programs. Accessibility remains a critical issue, with 33.3% of respondents strongly disagreeing that these services are easily accessible in terms of location, language, and affordability. A significant portion expressed dissatisfaction with the comprehensiveness of services, the development of individualized support plans, and the collaboration between agencies. Notably, 35.3% strongly disagreed with the effectiveness of these programs in providing comprehensive psychological, legal, social, and medical support, and 36.3% expressed similar concerns about the tailoring of support plans to victims' needs.

The study underscores the need for targeted improvements in CVSS, focusing on increasing accessibility, enhancing the comprehensiveness of services, and fostering better collaboration between agencies. These findings suggest that future efforts should be time-bound and measurable, aiming to address specific gaps in service delivery. For instance, within the next 12 months, programs should aim to increase accessibility by expanding service locations and offering services in multiple languages. Similarly, efforts to improve the development of individualized support plans and the effectiveness of inter-agency collaboration should be prioritized, with measurable progress expected within the next two years. These steps are crucial to ensuring that victim support services in Kenya are responsive, comprehensive, and capable of fulfilling the diverse entitlements of crime survivors.

5.2.2 The Extent to Which Governance Mechanisms in Kenya Cater for the Requirements of Crime Survivors

The study aimed to assess how well governance mechanisms in Kenya relieve the burdens of those victimized by crime, drawing on perspectives from victims and key stakeholders. The findings reveal a mixed picture. On the positive side, 67.6% of respondents agreed that the Kenyan constitution has well-defined mechanisms for addressing victim rights, and 85.3% acknowledged supporting legislation. However, only 17.6% of respondents felt that victim assistance programs were well-known and robust, and a mere 11.8% believed that public

agencies responsible for these services were adequately resourced by the national government. Despite the presence of legal frameworks, implementation remains a significant challenge. A notable 64.7% of respondents doubted whether crime victims in Kenya are receiving sufficient support, and 50% expressed concern that victims might become re-victimized within the criminal justice system. Moreover, while 38.2% acknowledged provisions for public participation and inclusivity in policy formulation, 41.2% were unsure, highlighting a need for greater clarity and transparency in these processes.

The challenges identified are specific and significant. Financial constraints, corruption within investigative agencies, inadequate manpower, and poor coordination among agencies were major concerns. These issues limit the effectiveness of crime victim assistance programs, hinder access to justice, and contribute to the re-victimization of victims. Additionally, gaps in the legal and policy frameworks were highlighted, with 70.6% of respondents stating that existing legal tools are insufficient to meet the needs of crime victims. Specific criticisms included the inaccessibility of the Witness Protection Unit, minimal victim support services, inadequate implementation of the Victim Protection Act, and a lack of resources and political will.

Addressing these challenges requires specific, measurable, achievable, relevant, and time-bound (SMART) interventions. In the next 12-18 months, efforts should focus on enhancing the visibility and accessibility of victim assistance programs, increasing resource allocation to public agencies, and improving coordination among stakeholders. By implementing targeted reforms in these areas, Kenya can build a more responsive and effective system for supporting crime victims, ensuring that their rights are protected and their needs are adequately met.

5.2.3 Strategic Interventions for Enhancing the Efficacy of the Governance Mechanisms in Addressing the Needs of Crime Victims

The findings reveal a strong consensus on the need for targeted interventions to enhance the efficacy of governance mechanisms in supporting crime victims in Kenya. Key among these is the call for increased funding for victim support programs, with 93.1% of respondents advocating for a 20% budget increase within the next fiscal year. Additionally, there is a significant emphasis on improving coordination among government agencies to reduce service duplication and enhance efficiency, a measure supported by 95.1% of respondents. Streamlining the justice system to expedite case processing and reduce backlog, a priority for 97.1% of respondents, is also critical to ensuring timely justice for victims.

To ensure these reforms are sustainable, the legal framework must be regularly reviewed and updated, with at least three key legislations targeted for amendment within the next year. Special attention should also be given to the needs of vulnerable groups, including women, children, and individuals with disabilities, by developing tailored support programs. Raising public awareness of available services through nationwide campaigns is essential, with a goal to increase awareness by 50% within a year, as supported by 94.1% of respondents.

Finally, fostering collaboration between government agencies, NGOs, and community organizations, alongside comprehensive training and capacity-building programs for law enforcement and judicial officers, is crucial. With 98.0% of respondents highlighting the importance of stakeholder collaboration and 89.2% emphasizing capacity building, these strategic interventions aim to create a more coordinated, informed, and victim-centered governance framework, ensuring that crime victims in Kenya receive the justice and support they deserve.

5.3 Conclusion

5.3.1 The key principles of responsive governance that contribute to the success of victim assistance programs (Victim Support Services)

In conclusion, the key principles of responsive governance play a central part in ensuring the success and efficacy of victim assistance programs also known as Victim Support Services. Through the lens of responsive governance, several fundamental principles emerge as essential contributors to the effectiveness of these programs. Inclusivity stands out as a cornerstone principle. By actively involving victims, community members, government agencies, non-profit organizations, and other stakeholders in the decision-making processes, victim assistance programs can ensure that services are tailored to meet the diverse needs and realities of those they aim to support. Inclusivity fosters a sense of ownership among stakeholders and enhances the relevance and responsiveness of the services provided. Transparency and accountability are equally critical principles in responsive governance. By maintaining transparent communication channels and accountability mechanisms, victim assistance programs can uphold public trust and confidence. Clear and accessible information about the allocation of resources, program outcomes, and decision-making processes fosters accountability and ensures that resources are utilized effectively to address the needs of victims. Flexibility and adaptability are also imperative in navigating the complex and evolving landscape of victim assistance. Responsive governance allows programs to remain agile and responsive to changing circumstances, emerging challenges, and evolving needs within communities. By continuously evaluating and adjusting strategies, victim assistance programs can remain relevant and effective in meeting the dynamic needs of victims.

Furthermore, collaboration and coordination across sectors are essential components of responsive governance in victim assistance programs. By forging partnerships between government agencies, law enforcement, healthcare providers, educational institutions, and

community organizations, programs can leverage collective expertise and resources to provide comprehensive support to victims. Collaboration enables the pooling of resources, the sharing of best practices, and the development of integrated service delivery models that address the multifaceted needs of victims. By upholding these principles, programs can effectively support victims, promote healing and recovery, and contribute to the creation of resilient and supportive communities where victims are empowered to rebuild their lives.

5.3.2 The Extent to Which Governance Mechanisms in Kenya Respond to the Needs of Crime Victims through the Perspectives of Crime Victims and Relevant Stakeholders

The examination of governance mechanisms in Kenya concerning their robustness in resolving burdens of crime survivors, as perceived through the perspectives of both victims and relevant stakeholders, sheds light on several crucial insights first, it is evident that while progress has been made in recognizing and addressing the needs of crime victims within governance frameworks, significant gaps and challenges persist. Despite the existence of legislative frameworks and institutional structures aimed at protecting and supporting victims, implementation often falls short of meeting the diverse and complex needs of victims.

Secondly, the perspectives of crime victims themselves provide invaluable insights into the shortcomings of existing governance mechanisms. Victims frequently report experiencing barriers to accessing justice, support services, and restitution. Moreover, the lack of awareness about available resources and the fear of reprisals further compound the challenges faced by victims, hindering their ability to seek help and support. Additionally, the perspectives of relevant stakeholders, including law enforcement agencies, legal practitioners, healthcare providers, and non-governmental organizations, highlight the systemic issues that impede effective victim support within governance mechanisms. These stakeholders often emphasize the need for enhanced coordination, capacity-building, and resource allocation to better address the needs of victims and improve overall service delivery.

Moreover, the importance of victim-centered approaches within governance mechanisms cannot be overstated. Responsive governance requires a shift towards prioritizing the voices and experiences of victims in policy formulation, service provision, and resource allocation. By centering victims' needs and perspectives, governance mechanisms can better identify gaps, tailor interventions, and establish infrastructure that enable victims to secure the support they require to recover and rebuild their lives. Furthermore, there is a pressing need for greater collaboration and partnership among government agencies, non-state actors so as to strengthen victim support systems in Kenya. By leveraging collective expertise, resources, and networks, stakeholders can work collaboratively to overcome systemic barriers, improve service coordination, and enhance the overall effectiveness of victim assistance programs. Overall, even though Kenya's governance structures have made efforts to address the requirements of crime victims, there are still a lot of obstacles to overcome before these systems can be said to be genuinely victim-centered, responsive, and efficient.

Addressing these challenges requires sustained commitment, multi-sectoral collaboration, and a concerted effort to prioritize the rights and well-being of crime victims within governance frameworks. Only through such concerted efforts can Kenya realize its commitment to justice, human rights, and the empowerment of all its citizens, including those who have been affected by crime.

5.3.3 Strategic Interventions for Enhancing the Efficacy of the Governance Mechanisms in Addressing the Needs of Crime Victims

The identified interventions for enhancing the efficacy of governance mechanisms in addressing the needs of crime victims are essential steps towards building a more responsive, victim-centered approach to justice and support systems. Building a more responsive, victim-centered approach to governance requires a comprehensive and coordinated effort involving legislative reforms, resource allocation, capacity-building, and public awareness-raising. Only

through such concerted efforts can governance mechanisms fulfill their obligation to serve and protect all members of society, including those who have been affected by crime.

5.3.4 Theoretical Implications of the Study

The theoretical implications of this study, based on the integration of Governance Capacity Theory and Victim-Centered Approach Theory, highlight the crucial interplay between state capacity and the treatment of crime victims. Governance Capacity Theory elucidates how deficiencies in state mechanisms such as inadequate infrastructure, lack of technological resources, insufficient human resources, and procedural inefficiencies undermine the criminal justice system's ability to effectively respond to and support crime victims. These deficiencies create environments where justice is often delayed or denied, exacerbating the victimization experience and fostering a sense of impunity among criminals. In contexts like Kenya, where systemic governance failures are prevalent, improving state capacity through targeted reforms in infrastructure, technology, and human resource development is essential. Such improvements can significantly enhance the ability of police, prosecutors, courts, and prisons to deliver timely and effective justice, thereby bolstering overall personal security and reinforcing state legitimacy.

Conversely, the Victim-Centered Approach Theory emphasizes the importance of recognizing and addressing the individual needs and experiences of crime victims within the justice process. This theory advocates for legal frameworks that ensure victims' rights to information, participation, protection, and restitution. It also underscores the need for integrating restorative justice principles and trauma-informed practices to support victims holistically. By empowering victims and making them active participants in the justice process, this approach aims to create a more responsive and compassionate criminal justice system. The intersection of these theories suggests that enhancing governance capacity is fundamental to implementing a victim-centered approach effectively. Improved governance structures provide the necessary

support for victim-centered practices, ensuring that the justice system is not only efficient but also empathetic and restorative.

Therefore, the study implies that meaningful reforms in governance capacity, coupled with a strong commitment to victim-centered principles, can transform the criminal justice landscape, leading to more equitable and effective support for crime victims and a more secure society overall.

5.4 Recommendations

This study makes the following recommendations based on the study objectives which sought to examine the key principles of responsive governance that contribute to the success of victim assistance programs (Victim Support Services), to assess the extent to which governance mechanisms in Kenya respond to the needs of crime victims through the perspectives of crime victims and relevant stakeholders and to identify strategic interventions for enhancing the efficacy of the governance mechanisms in addressing the needs of crime victims.

5.4.1 The Key Principles of Responsive Governance That Contribute To the Success of Victim Assistance Programs (Victim Support Services)

Firstly, inclusivity should be prioritized by actively involving victims, community members, and relevant stakeholders in the decision-making processes of victim assistance programs. This involves establishing advisory committees or forums comprising representatives from diverse backgrounds to provide input on program development, implementation, and evaluation. Outreach initiatives should also focus on underprivileged or marginalized populations to make sure that all victims' needs are met and their views are heard.

Transparency and accountability are essential for building trust and confidence in victim assistance programs. Governance mechanisms should ensure transparency in resource allocation, program outcomes, and decision-making processes. This entails regularly publishing reports on program activities, expenditures, and outcomes, as well as establishing

mechanisms for feedback and grievance redressal. Furthermore, accountability measures should be strengthened to hold program administrators and service providers accountable for the effective provision of assistance to victims.

Flexibility and adaptability are critical to responding to the evolving needs of victims and the changing dynamics of victimization. This involves conducting regular needs assessments and program evaluations to identify emerging trends and gaps in service delivery. Moreover, governance mechanisms should prioritize flexibility in program design and implementation to accommodate diverse needs and circumstances, such as offering tailored services for specific types of victimization or demographic groups.

Achieving excellence in victim-centered approaches within the criminal justice system requires a coordinated effort from various organizations. Government agencies such as State law Office, The Director of Public Prosecutions' Office, The Police, the Witness Protection Agency and judicial and law enforcement authorities play a crucial role in policy formulation, program implementation, and ensuring legal frameworks are victim-centered. Non-governmental organizations (NGOs), including Victim Support Organizations and Human Rights Groups, provide direct services, advocate for victims' rights, and monitor adherence to victim-centered practices. Community-based organizations, such as local advocacy and faith-based groups, ensure inclusivity and support marginalized voices. International bodies like the United Nations Office on Drugs and Crime (UNODC) and the World Health Organization (WHO) offer guidance and support for implementing best practices.

Academic and research institutions contribute through research, evaluation, and evidence based recommendations, while professional associations, including Bar Associations such as Law Society of Kenya and Psychological Associations, promote victim-centered legal practices and trauma-informed care. By leveraging the unique strengths and expertise of these diverse organizations, effective governance mechanisms can be established to support crime victims

comprehensively.

5.4.2 The Extent to Which Governance Mechanisms in Kenya Respond to the Needs of Crime Victims through the Perspectives of Crime Victims and Relevant Stakeholders

Firstly, there is a critical need to strengthen and enforce existing legislative frameworks pertaining to victim rights and support services. This means making sure that victims of crime have specific legal recognition and protection for their rights, including the ability to seek restitution, receive support services, and access the justice system. To hold offenders accountable and give victims meaningful remedies, efforts should also be taken to improve the enforcement procedures.

Secondly, there should be a concerted effort to raise awareness about available support services and resources among crime victims and relevant stakeholders. This can be achieved through targeted outreach campaigns, community engagement initiatives, and collaboration with local organizations and community leaders. By increasing awareness, victims can better understand their rights and options for support, thereby empowering them to seek assistance when needed. In addition, more coordination and cooperation are required between government offices, law enforcement units, hospitals, attorneys, and non-governmental organizations that offer victim support services. This includes establishing clear referral pathways, sharing information and resources, and fostering a multidisciplinary approach to victim assistance. By working together, stakeholders can ensure a more holistic and coordinated response to the diverse needs of crime victims.

Furthermore, capacity-building initiatives should be prioritized to enhance the skills and expertise of professionals involved in victim support services. This includes training programs for law enforcement officers, legal practitioners, healthcare providers, and social workers on trauma-informed care, victim sensitivity, and best practices in victim support. By equipping professionals with the necessary tools and knowledge, they can better meet the needs of crime

victims and provide more effective assistance. Additionally, efforts should be made to enhance the accessibility and availability of victim support services, particularly in rural and underserved areas. This may involve expanding the reach of existing support programs, establishing satellite offices or outreach centers, and leveraging technology to provide remote assistance. Ensuring that victim support services are reachable to all people who are crime survivors.

For practical and leadership purposes, the agency best suited to oversee crime victim support services, drawing from international best practices, is typically a centralized national agency dedicated specifically to victim services, such as a Victim Support Agency (VSA) under the Ministry of Justice or a similar department. This model ensures a coordinated and comprehensive approach, exemplified by agencies like the United Kingdom's Victim Support, the United States' Office for Victims of Crime (OVC), and Canada's Federal Ombudsman Office for Crime Victims. The VSA's key responsibilities include ensuring legislative frameworks protect crime victims' rights, advocating for and enforcing laws to provide access to justice and support services, and conducting targeted outreach campaigns and community engagement initiatives to raise awareness about available resources. Additionally, the VSA should coordinate efforts among government agencies, law enforcement, healthcare providers, legal practitioners, and NGOs, establish clear referral pathways, and foster a multidisciplinary approach to victim assistance. Capacity-building initiatives should focus on training professionals in trauma-informed care and best practices in victim support, while efforts to enhance accessibility should target rural and underserved areas through satellite offices and remote assistance technology. By centralizing leadership and coordination, countries can implement a more streamlined, effective, and victim-centered support system.

5.5 Opportunities for Additional Research

There are critical research gaps and researcher in the future ought to focus on evaluating the impact of recent legislative reforms on victim support services, assessing the long-term effectiveness of these programs in meeting evolving victim needs, and exploring regional variations in service accessibility and effectiveness across Kenya. Additionally, investigating the dynamics of stakeholder collaboration, the role of technological innovations in enhancing service delivery, and gathering qualitative insights into victims' experiences and satisfaction will provide crucial data. These studies are essential for refining victim assistance programs and governance mechanisms, ultimately improving the overall support system for crime victims in Kenya.

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LIST OF APPENDICES

APPENDIX I: QUESTIONNAIRE

My name is **Mary Wanjiru Mwenje**, a post-graduate student at National Defence University-Kenya pursuing a Master of Arts degree in National Security and Strategy. I am conducting a study titled “**Contribution of Responsive Governance to personal security: A case of crime victims in Kenya**”. I therefore request your participation in the study to enable me finalize on the thesis, which is part of the requirements for me to complete the program of study successfully. If you would want to participate in the study, please indicate with a (√) or (×) against the statements below:

I **freely** elect to participate in this study after being briefed on its purpose.

I **DO NOT** wish to participate in this study after being briefed on its purpose.

Section A: General Information

1. What is your gender?

Male () Female ()

Other (please specify)

2. What is your age range?

18-27 years () 28-37 years () 38-47 years () 48-57 years () 58-67 years

() Above 68 Years ()

3. What is your highest level of education?

Secondary () Diploma () Degree () Postgraduate ()

4. Occupation

Police officer () Prosecutor () Lawyer () Judicial officer () Medical officer ()

Civil Society () Other (specify ()

5. Years of Experience in Current Role:

Less than 1 year () 1-5 years () 6-10 years () 11-15 years () More than 15 years ()

SECTION B: KEY PRINCIPLES THAT CONTRIBUTE TO SUCCESS OF CRIME

VICTIMS ASSISTANCE PROGRAMMES (VICTIM SERVICES) WITHIN RESPONSIVE GOVERNANCE FRAMEWORK

For purposes of this study, the concept of responsive governance refers to a form of governance that is characterized by its ability to adapt, listen, and respond effectively to the needs, concerns, and expectations of its citizens or stakeholders. This concept is rooted in the idea that governments and other governing bodies should be flexible and receptive to the changing dynamics and diverse perspectives within the communities they serve. The community of interest here is the crime victims in Kenya.

Crime victim assistance programmes also known as victim services or victim support programs, are initiatives designed to provide support, assistance, and resources to individuals who have been affected by crime. These programs aim to address the physical, emotional, and financial needs of victims and help them navigate the criminal justice system and constitutes responsive governance.

6. Have you ever been a victim of crime in Kenya?

Yes () No ()

7. Are you familiar with the factors that contribute to successful crime victim assistance programmes generally?

Yes () No ()

8. Please state some of the Programmes you are involved in?

.....
.....
.....
.....

9. To what extent are the programmes identified above been successful?

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.....
.....

10. Kindly rate your level of agreement with the statements presented in the table below regarding key Principles that contribute to success of crime victims assistance programmes (Victim Services) within responsive governance framework. Rate on a scale of: 1 = Strongly Agree (SA), 2 = Agree (A), 3 = Neutral (N), 4 = Disagree (D), 5=Strongly Disagree (SD)

| Likert Scale Statements | 1=SA | 2=A | 3=N | 4=D | 5=SD |
|---|-------------|------------|------------|------------|-------------|
| (ix) Victim assistance program are accessible in terms of location, language, and affordability. | | | | | |
| (x) The staff of the victim assistance program treated victims with empathy and respect, acknowledging my feelings and experiences. | | | | | |
| (xi) The victim assistance program ensure personal information about the victim are kept confidential to the extent permitted by law and morality. | | | | | |
| (xii) The victim assistance program provide comprehensive services that address psychological, legal, social, and medical needs. | | | | | |
| (xiii) The victim assistance program develop an individualized support plan tailored to victims' unique circumstances and needs. | | | | | |
| (xiv) The victim assistance program collaborate with other agencies and organizations to provide victims with holistic support. | | | | | |
| (xv) Victim assistance program engage in prevention and education initiatives to reduce the likelihood of future victimization. | | | | | |
| (xvi) The victim assistance program provided victims with access to legal support to navigate the criminal justice system or obtain restraining orders. | | | | | |

11. What are the key principles of responsive governance that contribute to successful victim assistance programs (Victim Support Services)?

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SECTION C: EXTENT TO WHICH GOVERNANCE MECHANISMS IN KENYA RESPOND TO THE NEEDS OF CRIME VICTIMS THROUGH THE PERSPECTIVES OF CRIME VICTIMS AND RELEVANT STAKEHOLDERS

12. To what extent do you agree with the following statements in relation to the nature and scope of the responsive governance framework of Kenya aimed at offering Victim Support Services to persons affected by crime?

Key: 1- Agree, 2-Not sure, 3-Disagree

| | 1 | 2 | 3 |
|--|---|---|---|
| i. The Kenya constitution has well spelt out mechanisms for addressing the victim rights and services. | | | |
| ii. There exists victim Assistance policies implemented by the government of Kenya with clear target crime victims and timelines within which they are to be implemented | | | |
| iii. Victim Services are strong and well known by those residing in Kenya? | | | |
| iv. The Kenyan public agencies responsible for victim services are well resourced by the national government to manage victim needs and support. | | | |
| v. There exists an Act of Parliament in Kenya that supports victims of crimes in Kenya. | | | |
| vi. The Kenya constitution, Acts of parliament and government policies provide for public participation and inclusivity of crime victims and relevant stakeholders who handle crime victims in their formulation | | | |
| vii. Are victims of crime receiving sufficient support? | | | |
| viii. Does the criminal justice system in Kenya re-victimise crime victims? | | | |
| ix. All crime victims in Kenya receive victim support services? | | | |
| x. Is the victims' services in Kenya mainly offered by civil society/Non-Governmental Organisations? | | | |

13. What are the perceptions of crime victims and relevant stakeholders regarding the responsiveness of the existing governance mechanisms to the needs of crime victims in Kenya?

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14. What, challenges undermine the success of crime victim assistance programmes?

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15. What, in your view, are the weaknesses of the current victim assistance initiatives in Kenya?

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16. Are crime victims in Kenya adequately informed about their rights and the support services available?

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17. What challenges, if any, do you think crime victims face when interacting with the criminal justice system in Kenya?

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SECTION D: STRATEGIC INTERVENTIONS FOR ENHANCING THE EFFICACY OF THE GOVERNANCE MECHANISMS IN ADDRESSING THE NEEDS OF CRIME VICTIMS

18. Kindly rate your level of agreement with the statements presented in the table below regarding possible recommendations for enhancing the efficacy of the governance mechanisms in addressing the needs of crime victims. Rate on a scale of: 1 = Strongly Agree (SA), 2 = Agree (A), 3 = Neutral (N), 4 = Disagree (D), 5=Strongly Disagree (SD)

| Likert Scale Statements | 1=SA | 2=A | 3=N | 4=D | 5=SD |
|--|-------------|------------|------------|------------|-------------|
| (i) The Kenyan government should allocate more funding to victim support programs to improve their reach and impact. | | | | | |
| (ii) The coordination among government agencies involved in victim support should be improved to ensure seamless assistance for victims. | | | | | |
| (iii) The justice system in Kenya should be streamlined to reduce delays and ensure timely justice for crime victims. | | | | | |
| (iv) The legal framework in Kenya should be reviewed and updated regularly to ensure it adequately protects the rights of crime victims. | | | | | |
| (v) Special attention should be given to the needs of vulnerable groups, such as women, children, and individuals with disabilities, in victim support programs. | | | | | |
| (vi) Awareness campaigns should be conducted to inform victims and stakeholders about the existence and scope of victim support programs in | | | | | |

| | | | | | |
|---|--|--|--|--|--|
| Kenya. | | | | | |
| (vii) Stakeholder collaboration, including partnerships between government agencies, NGOs, and community organizations, should be encouraged to enhance victim support services. | | | | | |
| (viii) Ongoing training and capacity-building programs should be provided to government officials, including law enforcement officers, prosecutors, and judges, to ensure they are equipped to effectively support crime victims. | | | | | |

19. Please identify the legal, policy and institutional framework that you are familiar with that addresses crime victim assistance programmes.....

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20. In your assessment is the said legal, policy and institutional framework identified above adequate in addressing the needs and concerns of crime victims?

Yes () No ()

21. If your answer above is NO, please explain your reason?

.....

.....

22. What recommendations would enhance the efficacy of the existing governance mechanisms in addressing the needs of crime victims?

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*****THANK YOU*****

APPENDIX II: INTERVIEW GUIDE

1. What are the legal and policy instruments that are in place for guiding protection and support of crime victims in Kenya?
2. Other than the laws and policies you have just cited, are there emerging and relevant victims services management gaps that are not taken care of in the existing framework that have been presented to the government to be considered for enactment or adoption?
3. In your opinion, would you say with confidence that the legal and policy framework in place has victims support services component incorporated in it? Please explain.
4. What are some of the institutional strategies used by state actors in managing crime victim support services in Kenya and especially in Nairobi County? Please explain.
5. What specific governance institutions or programs have been put in place to support crime victims in Kenya?
6. What role do the non-state actors play in victim support services in Kenya? Please explain
7. Would you say that the institutional strategies used by the state actors have been effective in the management of the physical, emotional, legal and financial needs of victims to help them navigate the criminal justice system? What indicators can you point to in justifying your response of either effectiveness or ineffectiveness of the strategies?
8. What challenges would you say undermine the efficacy of the legal and policy framework and strategies in managing victim support services in Nairobi County?
9. What suggestions or proposals can you recommend that can enhance the effectiveness and establishment of responsive governance measures instituted by the government for crime victim support services in Kenya.

*****THANK YOU*****

APPENDIX III: NACOSTI PERMIT


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