

# Institutional Policy Barriers to Juvenile Rehabilitation: A Case Study of Kimumu Boys Probation Hostel, Kenya

Ondari Deborah Sheila<sup>1</sup>, Kibet Ngetich<sup>2</sup>, Samwel Auya<sup>3</sup>

<sup>1, 2, 3</sup> Department of Peace, Security and Social Studies, Egerton University, Kenya

**Abstract:** *The existing literature on juvenile rehabilitation programs in Kenya has largely focused on the general effectiveness of rehabilitation strategies, the psychosocial needs of child offenders, and the challenges faced by institutions in implementing juvenile justice policies. However, there remains a notable research gap concerning the specific operational policy factors that influence the effectiveness of rehabilitation efforts within juvenile correctional facilities, particularly at the institutional level. Limited empirical evidence exists on how the rigidity or flexibility of operational policies directly impacts the rehabilitation process and reintegration success among child offenders. This paper aims to address this gap by investigating the institutional policy barriers that influence the rehabilitation of child offenders: the case of Kimumu Boys Probation Hostel Kenya. Sample population was the 44 staff members in Kimumu Boys Probation Hostel and 11 key stakeholders which included county secretary for social services, a county children department head, county probation department head, two manager heads of Kimumu boy's junior, two manager heads boy's senior, four probation officers based at the hostel and two children department officers. Mixed methods approach was used to collect data through interviews and key informant discussions and analyzed via thematic and descriptive techniques. Findings reveal that a significant proportion of staff (77%) perceive current policies as rigid, and 86% believe these policies hinder effective rehabilitation. Additionally, 56% of respondents identified policy issues related to child admission and rehabilitation procedures as barriers to successful reintegration. The paper highlights that inflexible operational policies limit the customization of rehabilitation efforts, thereby reducing their effectiveness. It concludes that reviewing and revising existing policies to accommodate the diverse needs of child offenders could enhance rehabilitation outcomes. The paper recommends policy reforms aimed at making operational guidelines more flexible and responsive to individual rehabilitation requirements, ultimately facilitating better reintegration of child offenders into society.*

**Keywords:** Child offender, Rehabilitation, Operational Policies, Kimumu Boys, Probation Hostel

## 1. Introduction

As world governments continue to grapple with the challenges of criminality, there is a growing concern that the amount in terms of frequency and seriousness of crimes committed by children is on the rise (NCRC, 2018). Child crime is a social problem facing many societies today as an increasing number of children violate societal norms and even commit more serious crimes (Onyango, 2013). Globally, statistics for juvenile delinquency have shown that 1.5 million juvenile delinquents were brought before law enforcement agents between 1978 and 2018 in the USA (Puzzanchera, Hockenberry, Sickmund, 2022). British Crime Survey (BCS) and Canadian Centre for Justice Statistics (CCJS) have exhibited a significant upsurge in juvenile delinquency in the world (UNDP, 2017; Munyo, 2013). Juvenile delinquency is portrayed as being generally on the rise in sub-Saharan Africa, particularly in the cities where two thirds of the populations are between the ages of 12 and 25. Most of them live in informal settlements without basic facilities, services and security (UN - Habitat, 2011).

In Kenya, approximately 57% of crimes reported to the police are committed by juveniles. Furthermore, mass media reports have equally highlighted an upsurge in crime and violence incidences perpetrated by children in all forty-seven (47) counties in Kenya. The growing incidence of child crime across Kenya is raising serious concerns among both the public and law enforcement agencies. The number of children dominated criminal gangs in the country is also on the rise (Institute of Economic Affairs Youth Compendium, 2011; NCRC, 2012 and NCIC, 2017). According to Mantey and

Dzeto (2018) juvenile delinquency is largely a group phenomenon. Between two-thirds and three-quarters of all offences committed by children, are committed by members of gangs or groups, which can vary from highly structured criminal organizations to less structured street gangs. Even those children who commit offences alone are likely to be associated with groups (Mantey and Dzeto, 2018).

Juvenile delinquency is attributed to a number of situations. According to Haque (2012) juvenile delinquency occurs in both simple and complex societies and is often a result of affected relationships between a group of individuals leading to maladjustment and conflict. The majority of juvenile delinquents living worldwide have had great records of delinquency in the societies and families before escalating the same into higher levels or in towns (Mantey and Dzeto, 2018). According to United Nations Office on Drugs and Crime (UNODC) and World Bank, (2007) the pathology of the family is a major cause of delinquency and accounts for 50% of juvenile delinquency cases and that "evidence suggests that children who witness domestic violence are more likely to engage in delinquent and violent behavior in the future.

Menard et al. (2001) shows that juvenile delinquency and substance abuse are connected at the adolescent stage of the individual, substance use is extensive as compared to the early stages of his/her early adulthood. As a result, crime and substance use become intense during the adolescent stage. Juvenile delinquency is a serious challenge to the family, public safety, the lives of children themselves and law enforcement agencies at large. This means that the country

Volume 14 Issue 8, August 2025

Fully Refereed | Open Access | Double Blind Peer Reviewed Journal

[www.ijsr.net](http://www.ijsr.net)

would have to bear a lot of cost in dealing with issues of crime. This makes child crime a critical phenomenon that every country tries to curb not losing sight of the fact that if child offenders are not nurtured well, they may grow to become criminals leading to distortion of society's peace and tranquility (Hess and Drowns, 2010).

According to a UN Habitat study on Youth and Crime in Nairobi, children in conflict with the law are most arrested for theft (45%), assault (23%), drug possession (10%), mugging (10%), and manslaughter (7%). Guns, pangas (machetes), and knives were commonly used in the commission of these crimes. Most of these crimes were committed to obtain money (UN Habitat, 2011). This reflects either the country's inability to provide legitimate means for its young people to meet their needs and/or financial obligations legally (in the context of Strain Theories of crime) or the emergence of a "criminal" generation.

Faced with the problem of children in conflict with the law, the Kenyan government established probation hostels to aid; in rehabilitation of the child offenders, to minimize the risk of re-offending, to ensure public safety for children whose home environment is not conducive for their immediate return. The fundamental goal of hostels is to offer suitable instructional programmes to child offenders committed to hostels by a court of law, hence taking into consideration of their psychological and physiological health, protection from physical harm, interests and emotional wellbeing (Kariuki, Njoka and Ndegwa, 2019).

Probation hostels are mandated to treat, manage, and reform children in conflict with the law before reintegrating them back into their communities for full functional living (Mugo et al., 2006). Probation hostels are required by the Children Act 2022 (Cap. 141), Laws of Kenya (GoK, 2012), to provide care and protection to children in their care and to act in the best interests of the child. According to Kenyan rehabilitation center management policies, the rehabilitation process and social reintegration of child offenders is a collaborative effort of child Justice Agencies (CJA), particularly probation officers, children's officers, and Probation hostel managers. According to the GoK (2013), Sub-County Probation Officers (SPO), Sub-County Children Officers (SCO), and managers of probation hostels are supposed to maintain a network of communications and consultations that are supposed to shape the treatment or understanding well on specific rehabilitation projects for each individual child and enhance social reintegration of child offenders. The probation officers are also in charge of managing the rehabilitation projects for the social reintegration of child offenders.

Rehabilitation programmes for child offenders in Kenyan probation hostels include among others counseling, education, spiritual welfare, vocational training and life skills training courses which include - masonry, mechanic, tailoring and dressmaking, carpentry and joinery and barber for the boys, hair dressing for girls, fashion and design and bakery for the girls. These programmes are aimed at positively transforming child offenders into norm abiding members of society (Onyango, 2013)

Despite the apparent desire and effort by the Kenyan government and non-governmental entities towards mitigating child crime through rehabilitation, the phenomenon has continued unabated due to the rate of reform is low as released child offenders returning to their previous delinquent behavior indicating that the rehabilitation process might be marred with challenges leading to the above situation (Boakye, 2013). This study, therefore, investigated operational policy factors affecting the rehabilitation of child offenders in Kimumu Boys Probation Hostel. Understanding and reforming operational policies is essential for enhancing the effectiveness of juvenile rehabilitation efforts in Kenya.

## 2. Methodology

The study was conducted at the Kimumu Boys' Probation Hostel, located in the heart of the Rift Valley region of Kenya. The study site was significant, as it is situated within a community that faces various socio-economic challenges, including poverty, family instability, and limited access to educational and vocational opportunities. The institution is among the top-rated rehabilitation centres providing a structured environment designed to facilitate the reintegration of young individuals into society. The study employed mixed method research design that examined the factors affecting rehabilitation of child offenders in probation hostels in Kenya.

The unit of analysis was the staff in Kimumu Boys Probation hostel. Census procedure was utilized to select all the 44 staff in the probation hostel. In addition, a purposive sampling technique was used to draw 11 key informants for interviews. The methods of data collection methods utilized were interview and key informant interview. Interview method was used to collect data from staff in the probation hostel while key informant interview method was used to collect data from key informants composed of County Secretary for Social Services, County Children department head, County probation department head, managers heads of Kimumu boy's junior and senior, probation officers based at the hostel, and children department officers. Descriptive statistics and thematic analysis techniques were used to analyze quantitative and qualitative data respectively.

## 3. Results

This section provides result from the analyzed data. To understand how operational policy factors have affected the rehabilitation of child offenders in probation hostels, the study focused on how the enforcement of policies, specific policies that impede rehabilitation efforts, the impact of policies on the rehabilitation process, issues in the admission of child offenders, the handling of child offenders, the legal framework, and the monitoring and evaluation affect rehabilitation child offenders.

### 3.1 Enforcement and Impediments

The study sought to evaluate the staff's policy enforcement experiences and to pick out policies that hinder the rehabilitation effort. Participants were asked to acknowledge their responses as drawn from a Likert scale of responses on a scale of rigid and flexible with existing policies and to explain in detail which individual elements of these policies

they feel most restricted. The participant reactions are presented in Table 3.1.

**Table 3.1:** Distribution of Respondents by flexibility of policies

Policies	Frequency	Percent
Rigid	34	77
Flexible	10	23
<b>Total</b>	<b>44</b>	<b>100</b>

Results obtained from Table 3.1 depict a majority among participants 34(77%) indicating their opinions as rigid policies followed by 10 (23%) as flexible policies. The answers demonstrated the fact that rigid and inflexible policies could, on numerous occasions, pose a barrier to the application of rehabilitation methods that were tailored to meet individual offenders' needs.

When the 77% respondents were asked to explain why they felt that policies were rigid, they argued that the rules and regulations are too restrictive and do not permit the kind of flexibility that has to be employed to deal with the wide range of complex problems and situations associated with each child offender. These children often find themselves in a cascade of ineffective and inefficient rehabilitation procedures. The finding was supported by key informants who argued that the existing policies are impediments to rehabilitation process of children offenders. During a key informant interview, it was averred that:

*"Although it impossible to adjust rules and regulation to fit each individual needs, the policies guiding rehabilitation of children offenders pose difficulties to effective rehabilitation. Th policies are so rigid to the extent that there is no flexibility in rehabilitation of the children's offenders."* (Female, 34 years).

From the arguments of the key informant's remarks imply that the policies are already in place and supposed to be followed in performance of staff duties. There's need for closer working relationship between the policy makers and the hostel Management to foster understanding of the rules and regulations in line with the findings of Nyamai and Waiganjo (2015) which recommended that the government together with policy makers, stakeholders and international bodies should develop children rehabilitation action plans and policies and make budgetary allocations towards them.

In addition, the study found that rigid regulations push the staff to follow instructions that may not be suitable for the offenders' rehabilitation. The results, therefore, bode well for policy adjustments that allow more discretion in their implementation and enable the rehabilitation process to be more dynamic responding to the fluctuating needs of the children offenders. During key informant interviews, a key informant argued that:

*"The children coming from the society are informed and exposed. The policies are backdated. As a staff you must follow these policies as stipulated"* (Female, 36 years).

Form the sentiments of the key informant calls for a training system that will equip each officer with core competencies to

execute proper care and supervision of juveniles according to best practice standards. This finding concurs with UNAFEI (2019) which advocates for continuous improving of knowledge and professional capacity of staff in rehabilitation institutions by attending relevant in service and other training programmes.

### 3.2 Policy factors in Rehabilitation Process

The study assessed how the existing policies influence the rehabilitation process at Kimumu Boys' Probation Hostel. Study participants were taken through the questions to allow them to indicate the influence of these policies. The participants were asked to indicate whether the policies whether the policies influence rehabilitation process. Table 3.2 gives responses.

**Table 3.2:** Influence of Policy on Rehabilitation Process

Has policy influenced rehabilitation process?	Frequency	Percentage
Yes	6	14
No	38	86
<b>Total</b>	<b>44</b>	<b>100</b>

As depicted in Table 3.2, 14% of the study participants argued that policies influence rehabilitation process in the study institution while 86% of the participants were of the opinion that policies have not influenced rehabilitation of the child offenders in the study institution. The data shows that policies have not had any meaningful influence on rehabilitation of offenders.

The respondents were asked to comment on why they felt that policies did not influence rehabilitation process. They argued that the bureaucratic nature of the policies hinders rehabilitation of child offenders in the study institution. The study established that the bureaucratic processes often postpone the adoption of rehabilitation measures that are needed, as confirmed by the respondents. Participants expressed the frustration that it took to go through these bureaucratic procedures. This slows down the rehabilitation process and takes attention and resources away from the most important area, which is directly helping the victims recover. The finding emerged from the key informant interviews, where it was reported that the bureaucratic nature of the policies governing the rehabilitation process for child offenders in the study institution hinders effective implementation. In one of the key informants' interviews, an informant argued that:

*"Policies are important because they give us a structure to work within, but they are often too rigid and limit our ability to meet each child's unique needs. We clearly need policies that can adapt as we learn more about what works best in rehabilitation"* (Male, 48 years).

Going by the narration of the key informant, it was clear that rehabilitation process is affected by the bureaucratic nature of policies governing rehabilitation of child offenders. This comment highlights the need for policy changes to improve rehabilitation results and make sure they meet the specific needs of each offender. This supports the findings of a study



by Nyamai and Waiganjo (2015) that revealed that there is need for closer working relationship between the policy makers and the hostel Management to foster understanding of the rules and regulations.

**On Rigid Policies:** The study found that a significant majority (77%) of respondents viewed the operational policies as rigid, which hindered their ability to provide tailored rehabilitation solutions for child offenders. This aligns with the existing literature, where rigid regulatory frameworks are often cited as obstacles to successful rehabilitation efforts (Nyamai & Waiganjo, 2015). Participants indicated that these restrictive policies fail to consider the diverse needs of child offenders, leading to ineffective rehabilitation strategies.

The overwhelming majority (86%) of respondents believed that existing policies do not positively influence the rehabilitation process. They highlighted bureaucratic impediments which delay the adoption of essential rehabilitation measures. This finding resonates with the assertions of Mieke (2020) and Kingori (2015), who noted that excessive bureaucracy can stifle effective action and limit flexibility in addressing the needs of juvenile offenders.

### 3.3 Admission and Handling of Child Offenders

The study investigated whether there were any issues with the policies used for admitting child offenders into the hostel. The results are shown Table 3.3

**Table 3.3:** Admission and Handling of Child Offenders

	Frequency	Percentage
No Policy Issues	5	11
Policy Issues Present	39	89
Total Respondents	44	100

According to Table 3.3, 11% of study participants said that there are no policy issues with child admission and handling while 89% of participants agreed that there are policy issues regarding child admission and handling in rehabilitation institution of study. Based on the findings, there are significant issues with policies that need to be addressed. The finding is in line with Mantey and Dzator (2018) who found that the process of admitting juvenile offenders to rehabilitation centers is often viewed as humiliating and contributes to their social rejection, further complicating their rehabilitation.

The participants were asked to document why they felt that there are policy issues on child admission and handling in rehabilitation institution of study. Table 3.4 shows the responses.

**Table 3.4:** Reasons for Having Policy Issues with Regard to Child Admission and Handling in Rehabilitation Institution.

Why there are policy issues with regard to child admission and handling in rehabilitation institution	Frequency	Percentage
Conformity and old-fashioned rules	22	56
Policies don't meet the specific needs of each child	8	21
Policies are strict	9	23
<b>Total</b>	<b>39</b>	<b>100</b>

As shown in Table 3.4, 56% of the participants who argued that there are policy issues with child admission and rehabilitation of child offender in rehabilitation institution of study said that there is an issue with conformity and old fashioned rules, 21% of participants asserted that the existing child admission and handling policies in rehabilitation centers don't meet the specific needs of each child, and 23% of the participants thought that child admission and handling policies in rehabilitation centers are unnecessarily strict. The findings shows that most participants (56%) that policy issues with child admission and rehabilitation of child offender in rehabilitation institution of study said that there is an issue with conformity and old-fashioned rules.

The research shows that staff are worried about the current admission policies at the probation hostel. They pointed out that too much conformity and old-fashioned rules often cause delays in getting the help that child offenders need quickly. The finding emerged during key informant interview where it was reported that most rules governing rehabilitation process were old and did not take into account the dynamics in the contemporary delinquency in society. In one of the key informant interviews, it was reported that:

The narration by key informant confirms that the existing rules are old fashioned and do not consider the changing nature of child offenses in society. This is likely to hinder rehabilitation process of child offenders in the institution of study unless action is undertaken by responsible government institutions to update the policies in line with the changing nature of child offenses in society today.

*"The problem with rehabilitation institutions is the rules that are old and don't take into account emerging issues in delinquency in society today"* (Male, 47 years).

The study established that policies did not meet the specific needs of each child (21%). The study established that the needs of child offenders especially those with special circumstances like mental health issues are not adequately addressed by the existing policies for child admission and handling. The finding resonates with Waitherero (2011) that juvenile justice system policies are likely not to be tailored to meet the changing needs of child offenders, and they do not provide child-friendly facilities because they lack flexibility.

In addition, the study established that existing rules for child offenders' admission and handling are so strict (23%). The study established that these strict and outdated policies are seen as a big barrier to effective rehabilitation, highlighting an urgent need for policy changes that allow for more flexible and timely help tailored to each child's needs. Additionally, the study sought to determine the issues affecting child offender rehabilitation outcomes. Responses on how child offenders' admission and handling policy affect child offender rehabilitation outcomes are given in Table 3.5.

**Table 3.5:** How child offenders' admission and handling policy affect child offender rehabilitation outcomes

How of child offenders' admission and handling policy affect child offender rehabilitation outcomes	Frequency	Percentages
Policies limit the degree of interaction and management of child offenders.	16	36
Policies do not allow the staff to use individualized and flexible approaches.	18	41
Policies do not consider different backgrounds and behaviors.	12	23
Total	44	100

As shown in Table 3.5, 36% of study participants argued that child offenders' admission and handling policy affect child offender rehabilitation outcomes because the policies limit the degree of interaction and management of child offenders, 41% argued that the policies do not allow the staff to use individualized and flexible approaches, and 23% asserted that the policies do not consider different backgrounds and behaviors. From the findings, it can be argued that most child offenders' admission and handling policies affect child offender rehabilitation outcomes because the policies do not allow the staff to use individualized and flexible approaches.

The finding was confirmed by key informants who argued that the child offender admission and handling policies limit the degree of interaction and management of child offenders. Such restrictions, however, do not allow the staff to use individualized and flexible approaches, which are the main tools for addressing the offenders' specific needs and circumstances. For example, policies that strongly control the schedules and limited interaction times do not allow staff to provide care that is responsive to the fluctuating emotional and psychological states of the offenders. However, the uniform policy implementation that does not consider different backgrounds and behaviors, consequently, decreases the effectiveness of the rehabilitation strategies that are designed to promote behavioral changes and re-integration readiness.

**Issues with Admission Policies:** The study revealed that 89% of respondents identified significant policy issues concerning child admission and handling at the probation hostel. This concurs with Mantey and Dzeter (2018), who highlighted that the admission process can be humiliating for juvenile offenders, compounding their social rejection. The findings demonstrate that existing policies do not adequately address the unique needs and circumstances of each child, contributing to negative rehabilitation outcomes.

**Training and Individualized Approaches:** Findings indicate that these policies limit staff's abilities to deploy individualized and flexible approaches in handling child offenders. This is evident in the 41% of participants who reported that policies constrain their interactions with offenders. The literature supports this, asserting that personalized interventions are crucial for successful rehabilitative efforts (UNICEF, 2020).

### 3.4 Legal Framework factors on Probation Hostel Management

The study sought to determine how legal rules affect the way the probation hostel is run. Participants discussed how these rules affect their day-to-day work and their ability to help reform child offenders. Results are shown in Table 3.6.

**Table 3.6:** How rules and regulations affect running of the hostel

Response	Frequency	Percentage
Positively	14	32
Negatively	30	68
Total	44	100

Table 3.6 shows that 32% of respondents that rules and regulations affect positively the management of the hostel as the rules guide your work while 68% of study participants argued that the rules and regulation affect running of the hostel negatively. Based on study findings, it is evident that majority (68%) of study participant in the study opined that the rules and regulation affect running of the hostel negatively. They believe there are significant issues with the policies that need to be addressed. During key informant interviews, informants argued that while these rules provide necessary guidelines, they also create barriers that can prevent the development of rehabilitation programs that are tailored to the needs of everyone. An informant argued that:

*"Rules are important for keeping things in order; but they can limit our ability to be flexible and creative when dealing with situations as they happen. We need rules that help us achieve our rehabilitation goals without limiting our creativity"*  
(Female, 34 years).

This comment shows that staff believe the legal framework is important for maintaining consistency and following the law, but its strictness can make it hard to manage rehabilitation effectively. This is in line with Mieke (2020), who said that conformity to formal rules or standards which are claimed to be excessive, rigid, or redundant, or to bureaucracy is claimed to hinder or prevent action or decision-making for better results. It also confirms findings from a study by Kingori (2015) which pointed out that Kenya's legal framework does not fully protect children's rights to justice, noting that legal processes can hinder effective rehabilitation.

Consequently, the respondents were asked the reasons they think might be hindering conformity to the laws and regulations. Their response was as reflected in Table 3.7

**Table 3.7:** Reasons hindering conformity to the laws and regulations

Reasons hindering conformity to the laws and regulations	Frequency	Percentages
Unprofessional conduct of some staff	8	18
Poor implementation of programs	10	23
Delay in rehabilitation programs	6	14
Poor implementation of laws and policies	14	31
Insufficient skilled personnel	6	14
Total	44	100

As depicted in Table 3.7, 18% of study participants argued that unprofessional conduct of some staff was the reasons hindering conformity to the laws and regulations, 23% asserted that Poor implementation of programs is the reason, 14% reported that delay in rehabilitation programs as the reason, 31% argued that poor implementation of laws and policies has hindered conformity to the laws and regulations while 14% argued that insufficient skilled personnel was reasons for unconformity to the laws and regulations in the study institution.

From the findings, it is evident that poor implementation of laws and policies (31%) is the major reason for unconformity to the laws and regulations in the study institution. The finding was confirmed by key informants who reported that the way laws and policies are implemented in the study institution hinder conformity to the laws and regulations. In an interview, a key informant noted that:

*“The main factor hindering conformity to the laws and regulations is improper implementation of laws and policies. This means that if implementation of laws is not proper it means that conformity to such laws will be a challenge”*

(Female, 39 years).

This is a clear illustration that poor implementation of laws and regulation hinders conformity to laws and regulations in the study institution. This is in line with Mieke (2020), who said that conformity to formal rules or standards which are claimed to be excessive, rigid, or redundant, or to bureaucracy is claimed to hinder or prevent action or decision-making for better results hence hinders conformity to such laws and regulations.

On the negative effect of Legal Framework, A large fraction (68%) of respondents indicated that the current legal framework negatively impacts the management and rehabilitation efforts within the hostel. This aligns with the critique by Kingori (2015), who pointed out the inadequacies in Kenya's Children Act and the legal framework governing juvenile justice. Respondents emphasized that poor implementation of existing laws contributes to a non-conformity, which subsequently affects the rehabilitation outcomes negatively.

On the Institutional Challenges, the study corroborates prior findings that inadequate resources, staffing shortages, and lack of skilled personnel significantly inhibit rehabilitation efforts (Kariuki, Njoka & Ndegwa, 2019). The overall institutional capacity, directly affects the rehabilitation efforts, leading to a cyclical pattern of reoffending among former residents (Mutemi, 2017).

### 3.5 Rating of Monitoring and Evaluation of Rehabilitation Programs

The study aimed to evaluate the effectiveness of monitoring and evaluation practices of rehabilitation programs taking place at the probation hostel on a scale from 1 to 10. The average rating given by the staff was 6, which showed that those practices were viewed as fair. From this we can infer that although there are monitoring and evaluation strategies

in place, they are thought to be satisfactory but not outstanding.

The study's findings show that although some policies are prudent and conducive to the rehabilitation process, others are heavily criticized for being bureaucratic and, thus, hampering prompt rehabilitation. The rating suggests that changes in accuracy and efficacy may make these methods even more powerful, which in turn may contribute to better rehabilitation results. Thus, finding emerged during key informant interviews in which it was said that the institution of study has put in place mechanisms that help to determine the progress of the rehabilitation activities. In an interview, a key informant asserted that:

*“With monitoring and evaluation of rehabilitation programmes, Kimumu Boys Probation Hostels is doing well. There are mechanisms put in place to monitor the progress”*

(Male, 34 years).

From the narration of the above key informant, it is clear that the institution of study has done well with regard to monitoring and evaluation of rehabilitation activities. The mechanisms will aid in effective rehabilitation of child offenders in the institution.

On enforcement and impediments to rehabilitation of child offenders, the study established that 77% of study participants indicated that policies governing conduct of staff and child offenders are rigid. When the 77% respondents were asked to explain why they felt that policies were rigid, they argued that the rules and regulations are too restrictive and do not permit the kind of flexibility that has to be employed to deal with the wide range of complex problems and situations associated with each child offender. These children often find themselves in a cascade of ineffective and inefficient rehabilitation procedures.

The finding was supported by key informants who argued that the existing policies are impediments to rehabilitation process of children offenders. In addition, the study found that rigid regulations push the staff to follow instructions that may not be suitable for the offenders' rehabilitation. The results, therefore, bode well for policy adjustments that allow more discretion in their implementation and enable the rehabilitation process to be more dynamic responding to the fluctuating needs of the children offenders in the hostel. There's a need for a closer working relationship between the policymakers and the hostel Management to foster an understanding of the rules and regulations in line with the findings of Nyamai and Waiganjo (2015) which recommended that the government together with policymakers, stakeholders, and international bodies should develop children rehabilitation action plans and policies and make budgetary allocations towards them.

Regarding policy factors affecting rehabilitation process, the study revealed that existing policies have not influenced the rehabilitation process (86%). The study established that the bureaucratic nature of the policies hinders the rehabilitation of child offenders in the study institution. The study established that the bureaucratic processes often postpone the



adoption of rehabilitation measures that are needed, as confirmed by the respondents. Participants expressed the frustration that it took to go through these bureaucratic procedures, which time could be used with the offenders in rehabilitation activities. This slows down the rehabilitation process and takes attention and resources away from the most important area, which is directly helping the victims recover. The finding emerged in the key informant interviews where it was reported that the bureaucratic nature of policies governing the rehabilitation process of child offenders in the study institution. This supports the findings of a study by Nyamai and Waiganjo (2015) that revealed that there is a need for a closer working relationship between the policymakers and the hostel Management to foster understanding of the rules and regulations.

The study also established that there are issues (56%) that policy issues with child admission and rehabilitation of child offenders in rehabilitation institutions of study. The study established that staff are worried about the current admission policies at the probation hostel. They pointed out that too much conformity and old-fashioned rules often cause delays in getting the help that child offenders need quickly. The finding emerged during key informant interview in which it was reported that most rules governing the rehabilitation process in rehabilitation institutions are old and do not take into account the dynamics in contemporary delinquency in society. The study established that most child offenders' admission and handling policies affect child offender rehabilitation outcomes because the policies do not allow the staff to use individualized and flexible approaches.

The finding was confirmed by key informants who argued that the child offender admission and handling policies limit the degree of interaction and management of child offenders. Such restrictions, however, do not allow the staff to use individualized and flexible approaches, which are, actually, the main tools for addressing the offenders' specific needs and circumstances. For example, policies that strongly control the schedules and limited interaction times do not allow staff to provide care that is responsive to the fluctuating emotional and psychological states of the offenders. However, the uniform policy implementation that does not consider different backgrounds and behaviors, consequently, decreases the effectiveness of the rehabilitation strategies that are designed to promote behavioral changes and re-integration readiness.

On how legal rules affect the way the probation hostel is run, the study established that existing rules and regulations affect the running of the hostel negatively (68%). The study revealed that there are significant issues with the policies that need to be addressed. The findings also revealed that poor implementation of laws and policies (31%) is the major reason for unconformity to the laws and regulations in the study institution. The finding was confirmed by key informants who reported that the way laws and policies are implemented in the study institution hinder conformity to the laws and regulations. During key informant interviews, informants argued that while these rules provide necessary guidelines, they also create barriers that can prevent the development of rehabilitation programs that are tailored to the needs of everyone.

This is in line with Mieke (2020), who said that conformity to formal rules or standards which are claimed to be excessive, rigid, or redundant, or to bureaucracy is claimed to hinder or prevent action or decision-making for better results. It also confirms findings from a study by Kingori (2015) which pointed out that Kenya's legal framework does not fully protect children's rights to justice, noting that legal processes can hinder effective rehabilitation.

#### 4. Conclusion

Policies governing the conduct of staff and rehabilitated child offenders are key for effective behavioral change of the latter. This was because rules and regulations are too restrictive and do not permit the kind of flexibility that has to be employed to deal with the wide range of complex problems and situations associated with each child offender. These children often find themselves in a cascade of ineffective and inefficient rehabilitation procedures. The operational policy factors show that the rigid and inflexible policies are the main obstacle to the customization of the rehabilitation programs to the individual needs of the child offenders. Certain staff reports indicate that the strict rules and bureaucratic procedures prevent them from being able to deal with complex rehabilitation needs effectively and cause delays in essential interventions.

#### References

- [1] Boakye, K. (2013). Rehabilitation of juvenile delinquents: Issues and solutions. *African Journal of Social Work*, 3(1), 5-12.
- [2] GoK. (2013). *Throughcare and aftercare procedures for children in statutory institutions in Kenya*. Government of Kenya.
- [3] GoK. (2019). *National juvenile justice policy, 2019*. Government of Kenya.
- [4] Haque, S. (2012). Socio-cultural factors influencing juvenile delinquency: A comparative analysis. *European Journal of Crime, Criminal Law and Criminal Justice*, 20(3), 275-287.
- [5] Hess, K. M. & Drowns, R. W. (2010). *Juvenile Justice*. 5th ed. Wardsworth: Cengage Hirschi T., 1969. *Causes of Delinquency*. Berkeley: University of California Press.
- [6] King'ori E.W (2015) *Strengthening Access to Justice for a Child in Conflict with the Law: A case for Law Reform*. MA Thesis. University of Nairobi.
- [7] Kariuki, S., Njoka, J., & Ndegwa, S. (2019). The capacity of juvenile rehabilitation centres in Kenya: Staff and management perspectives. *Kenya Journal of Criminology and Justice Studies*, 2(2), 93-108.
- [8] Mantey, A. E., & Dzator, A. (2018). Challenges facing rehabilitation of juvenile delinquents in Ghana: Implications for policy. *African Journal of Criminology and Justice Studies*, 10(2), 15-27.
- [9] Menard, Scott & Mihalic, Sharon & Huizinga, David. (2001). Drugs and crime revisited. *Justice Quarterly - JUSTICE Q.* 18. 269-299. 10.1080/07418820100094901.
- [10] Mieke, B. (2020). The bureaucratic nature of juvenile correctional systems: Barriers to effective

- rehabilitation. *International Journal of Social Justice*, 12(1), 56-72.
- [11] Mugo, J. K. (2011). Crime: The Young and the Restless. In IEA Youth Compendium 2011. Nairobi: IEA
  - [12] Munyo, M. (2013). Youth Crime in Latin America: Key Determinants and Effective Public Policy Responses: Washington, DC: Brookings
  - [13] Mutemi, M. (2017). Challenges of rehabilitation in Kenyan prisons: A review of recent developments. *East African Journal of Criminal Justice*, 4(1), 29-43.
  - [14] Nyamai, B., & Waiganjo, B. (2015). Child offenders and the legal framework: An analysis of juvenile justice in Kenya. *Kenya Law Review*, 5(1), 55-70.
  - [15] Onyango, F. (2013). Factors affecting juvenile justice systems in Kenya: An exploratory case study. *Journal of Justice Studies*, 2(1), 12-41.
  - [16] UN-Habitat. (2011). *Youth and crime prevention in Kenya: A report*.
  - [17] UNAFEL. (2019). *The importance of continuous education and training in correctional facilities for juvenile offenders*.
  - [18] UNICEF. (2020). *The state of the world's children: Children in a digital world*.
  - [19] NCRC. (2012). *National crime research centre report on juvenile delinquency in Kenya*.
  - [20] NCRC. (2018). *Annual report on juvenile crime trends in Kenya 2018*.