

## **Relationship between Nature of Initial Offences Committed by Juveniles on their Reoffending: A case Study of Kiambu and Kirinyaga Counties, Kenya**

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**Abstract:** Rehabilitation schools have been in existence since colonial time. The Government of Kenya has put a lot of emphasis and resources on remand homes, rehabilitation schools, foster care and boardal institutions to ensure that juvenile delinquency is minimized and those rehabilitated juveniles do not offend again. While statistics indicate juvenile crime and recidivism to be on the increase, studies on the phenomenon of recidivism among juveniles in correctional institutions in Kenya are scanty. The purpose of this study was to establish the influence of nature of offences committed on recidivism among juveniles in rehabilitation institutions in Kiambu and Kirinyaga counties of Kenya. The objectives of the study were to establish the influence of Juvenile recidivist's nature of offences committed on their recidivism. The study was based on Robert Merton's 1938 strain theory. The study adopted a descriptive survey research design. The target population for the study was 333 juvenile recidivists and 60 correctional staff in Wamumu and Kirigiti rehabilitation schools in Kirinyaga and Kiambu counties of Kenya respectively. The data for the study was collected by use of questionnaires, Focused Group Discussion, in-depth interview schedules and document analysis and analyzed using descriptive statistics. The study found; that juvenile recidivists who committed property offences especially stealing at their initial committal reoffended more than those who committed other type of offences and that lack of multiplicity of programmes in correctional facilities contributed to reoffending of juveniles among child offenders in Kiambu and Kirinyaga counties of Kenya. The study recommended change in design of juvenile rehabilitation programmes to take into consideration juvenile's socio-demographic characteristics and; needs and risks facing him. This is combination of both institutional and community based intervention and supervision that tap into youth potential and steer them away from crime.

**Key Words:** Nature of offences, Juvenile, Reoffending, Recidivism.

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### **Introduction**

Owing to the increasingly growing problem of juvenile crime and recidivism ; and the recognition that adult criminals begin their criminal careers in their juvenile years, the need to contain juvenile offending has never before been so glaring. Delinquency of young offenders can be predicted, prevented and treated. But the methods most often used to predict, prevent and treat juvenile delinquency typically derive from stereotypical conceptions, which often yield very low accuracy levels because of lack of empirical researches on the subject (Mbuba, 2004). A study on 20-year trends in juvenile detentions, correctional and shelter facilities in the United States showed that "there were more juveniles... in more crowded, secure, and costly juvenile correctional facilities in 1995 than there were in the preceding years" (Smith, 1998:539). Furthermore, violent crimes are being committed by younger and younger persons and are even increasing among middle-class youth in suburban neighborhoods and communities in United States (Durant, 1999:268).

In 2000 the number of arrests for persons under 18 years in the United States stood at a staggering 1,560,289. Out of these, those charged with violent crimes such as murder, non-negligent manslaughter, forcible rape, robbery, and aggravated assault were 65,910 while those charged with property crimes, including, burglary, larceny-theft, motor vehicle theft, and arson, were 345,731 ( Pastore & Maguire, 2002:352).

Recent studies on juvenile court statistics and prediction of recidivism tend to show a preponderance of delinquency among youths aged 15 or younger for all the cases processed by the juvenile courts (Katsiyannis and Archwamety, 1997; Archwamety and Katsiyannis, 1999; Puzanchera, et al., 2003; Katsiyannis et. al, 2004). Although the number of cases involving 17-year-olds may be depicted as lower than the number involving 16-year-olds, this may owe to the fact that in some states 17-year-olds are legally treated as adults and are therefore processed in adult courts rather than in juvenile jurisdictions, But even after controlling for the age of majority factor, the younger age brackets at the time of first adjudication are more represented in both offending and reoffending (Duncan et al., 1995). This claim is further corroborated by Miner (2002), who, in a study of predictors of recidivism in serious juvenile sex offenders, found that youths who began offending at

younger ages were at increased risk of reoffending. Conversely, an inverse relationship exists between the age at release and the likelihood of recidivism.

The type of the offense for which a person was released from custody or state supervision has been shown by previous research to be an important factor in whether or not the person will engage in further criminal or delinquent behavior upon release (Corrado, et al., 2003). Juveniles who commit violent offenses are more likely than minor and property offenders to commit additional offenses, both violent and non-violent (Duncan et al., 1995; Sabol, et al., 2000; Bondeson, 2002). In an eight-year comparative analysis of adolescent rapists and child molesters, Hagan et al. (2001), found adolescent sex offenders to have a significantly higher likelihood of reoffending after release from Correctional facility than a control group of other non-sex offending adolescent delinquents. But in a sharp contrast a recent study has diametrically disputed this offense type-recidivism nexus and argued in the reverse order.

Family stability, often defined from the point of view of whether or not both parents are living together with their siblings, is the single most important factor in ensuring that a child is properly assimilated into the mainstream of society. The influence of the family in reducing or encouraging recidivism stems from the notion of social control, where it is believed that parental influence is capable of counteracting negative swings in adolescents and forms a potential barrier to delinquent behavior (Warr, 1993). Warr also argues that an attachment to parents helps inhibit the initial formation of delinquent friendships, which itself helps interrupt the cycle of negative peer influence and delinquent behavior

A large body of research has successively and steadily linked peer influence to patterned delinquent behavior, with peer pressure forming a central explanation of not only the first involvement in delinquency, but also the repetitive pattern that typifies recidivism (Loeber & Loeber, 1987; Warr & Stanford, 1991; Warr, 1993; Thornberry, et al., 1995; Matsueda & Anderson, 1998; Benda, 2001; National Research Council & Institute on Medicine, 2001). Indeed, delinquent peers and delinquent behavior have been found to be reciprocally related; delinquent peer association's foster future delinquency and delinquency increases the likelihood of associating with delinquent peers (Matsueda & Anderson, 1998:269).

Kinyua (2010) found out that Central Kenya region especially Kiambu and Kirinyaga counties had recorded significant increase in cases of children offending and reoffending between the years of 2008-2012. The free flow of money generated from criminal and juvenile gangs encourages many young men and women to abandon school and engage in criminal activities. Kirinyaga, Muranga and Kiambu districts of Kenya had the highest number of young people engaging in drug and alcohol abuse in the Kenya.

### **Statement of the Problem**

Juvenile crime and recidivism is a new social problem facing many countries of the world including Kenya. In the United States of America, between 2000 and 2002, about 2, 345, 653 juvenile recidivists had been arrested for more than once for engaging in criminal activities. In Norway during the same period more than 45 percent of juveniles in juvenile correctional institutions were recidivists. In South Africa, the problem was even more critical with more than 47 percent of juveniles reoffending a year after release from rehabilitation institutions (Pastore & Maguire 2000:343). Lavera (2002) found out that over 35 percent of child offenders in Kenya's rehabilitation schools had reoffended just within one year after reintegration during 1999/2000 fiscal year. According to DCS (2012), out of the total number of child offenders who underwent treatment in rehabilitation schools in 2003, 22% of boys and 14% of girls re-offended. The high rate of juvenile recidivism in the Kenya have resulted into family conflicts, property damage and loss, lost investment opportunities, physical injury and loss of life and; psychological and emotional wounds resulting into underdevelopment of the country and long period of suffering on the part of offender and victim. Children have continued to commit heinous criminal acts such as murder, rape, arson, defilement and trafficking in drugs. Reduced juvenile recidivism would contribute to a safe country which will result into more investments resulting into more employment opportunities, stable families and therefore economically and socially stable citizens. Peterson (2009) observed that causes of juvenile recidivism vary from one region to another and are diverse. While statistics indicate juvenile crime and recidivism to be on the increase, studies on the phenomenon of recidivism among juveniles in correctional institutions in Kenya are scanty. It was in view of this that the researcher set out to investigate the socio-demographic characteristics of juvenile recidivists in Kiambu and Kirinyaga Counties of Kenya to determine whether certain socio-demographic characteristics pre-disposes juvenile offenders to recidivism.

### **Research Objective**

**The objective of the study was to:-**

Evaluate the influence of the nature of offences committed by juvenile recidivists on their recidivism.

### **Research Question**

The study sought to answer the following research question:

What influence does the nature of offences committed by juvenile recidivists' have on their repeat offending?

### **Review of Related Literature**

The type of the offense for which a person was released from custody or state supervision has been shown by previous research to be an important factor in whether or not the person will engage in further criminal or delinquent behavior upon release (Corrado, et al.2003). Juveniles who commit violent offenses are more likely than minor and property offenders to commit additional offenses, both violent and non-violent (Duncan et al., 1995; Sabol, et al., 2000; Bondeson, 2002). In an eight-year comparative analyses of adolescent rapists and child molesters, Hagan et el. (2001), found adolescent sex offenders to have a significantly higher likelihood of reoffending after release from a correctional facility than a control group of other non-sex offending adolescent delinquents. According to Langan & Levin (2002), persons released after a custodial sentence for property offenses such as arson, burglary, larceny, auto theft, fraud and other types of theft have the highest rate of recidivism compared to those released for violent offenses, drug-related violations, and public order transgressions.

Findings in research by Moles at al (1998:200-203), the major problem pushing youth and young people in America and South America into criminality is poverty. According to him, 75 percent of juvenile recidivists come from background with a lot of economic problems. This is collaborated by Stafford and Warr (1993:128), who noted that serious economic problems worsened by economic depression led to closure of many factories resulting to loss of economic opportunities and loss of jobs. This scenario resulted into break up of families, children lost educational opportunities, people lost mortgaged homes and therefore, many young people joined criminal gangs for support.

On contribution of poverty escalation of criminality among juvenile recidivists, Malesi (2006: 111-115) found out that 82 percent of juvenile recidivists in South Africa come from slums area where there is absolute poverty. Most families in these slums survive on mining, manual jobs and on small enterprises. However he noted that because of economic hard ships children drop out of school, join juvenile criminal gangs and slowly graduate into adult criminals.

A study on 20-year trends in juvenile detentions, correctional and shelter facilities in the United States showed that “there were more juvenile in more crowded, secure, and costly juvenile correctional facilities in 1995 than there were in the preceding years” (Smith, 1998:539). Nationwide, violent crimes are being committed by younger and younger persons and are even increasing among middle-class youth in suburban neighborhoods and communities (Durant, 1999:268). In 2000 the number of arrests for persons under 18 years stood at a staggering 1,560,289 (Pastore & Maguire, 2002). Out of these, those charged with violent crimes such as murder, non-negligent manslaughter, forcible rape, robbery, and aggravated assault were 65,910 while those charged with property crimes, including, burglary, larceny-theft, motor vehicle theft, and arson, were 345,731 (Pastore & Maguire, 2002:352).

On results of structural reforms instituted by World Bank in Kenya, Wakanyua (2005) found out that Structural Adjustment Programmes of 1990s led to retrenchment of many public servants. This was in addition to harsh economic situation in Kenya as a result of mismanagement of public resources, corruption and poor economic policies. Because of this hard economic time, many children dropped out of school due to inability of parents to pay school fees and levies, lack of empowerment of the local people, this resulted into many children running into streets where they joined juvenile gangs for support.

On rates of offending among children in Kenya, Njuguna (2007) found out that, there is high prevalence of morbidity among children passing through rehabilitation schools. According GOK (2010), most juvenile recidivists in Kenya come from major towns and specifically from slum areas.

Studies reviewed by Langan & Levis(2002), Corrado et al (2003), Sabol et al (2000), Bondeson (2000) Hagan et al (2001), Pasture & Maguire (2002) Durant (1999) and Smith (1998) concentrated on types of offences committed by juvenile recidivists without specifying whether the offence was committed during initial offending or after recidivating. This study was interested in showing type of offences committed by juvenile recidivists at initial and subsequent offending and show whether initial offence has an influence on their recidivating. Furthermore, while studies reviewed by Stafford & Warr (1993), Moles et al ((1998), Malesi (2006), Wakanyua (2005), GOK (2010) and Njuguna (2007) concentrated on the illustrating the causes of offending and reoffending among juvenile recidivists, these studies had one commonality, that causes juvenile recidivists were diverse and varied from one region to another.

In the literature reviewed there existed many inconsistencies on which initial offence committed by juvenile recidivists had the greatest contribution on their recidivism. This study was an attempt to fill this gap in

the literature review by establishing which type of offence has the greatest contribution on juvenile recidivism something that reviewed authorities failed to agree on.

### Research Methodology

The study employed a descriptive survey research design. In employing a descriptive research design, the researcher sought to examine the influence of socio-demographic characteristics on juvenile recidivism. The decision to adopt a descriptive research design was guided by the observation by Mugenda (2008) that descriptive research designs are commonly used when examining social phenomena that exist in communities. Mugenda noted descriptive studies because of their exploratory nature to be easier and simpler to conduct, yet quite important for providing foundation upon which correlational and experimental studies emerge. Study area for this research was Kiambu County (Kirigiti Rehabilitation School) and Kirinyaga County (Wamumu Rehabilitation School). The target population refers to an entire group of individuals, events or objects having common observable characteristics from which a sample which is a smaller group is obtained (Ahuja, 2001: Mugenda & Mugenda, 1999). The target population comprised of 333 repeat offenders and 60 correctional officers in two rehabilitation schools. Juvenile recidivists are ex-child offenders who have tendency to revert to criminal behavior soon after their release from juvenile correctional facility. Random sampling table was used to identify the one hundred juvenile recidivists from different strata of 333 repeat juvenile recidivists as respondents. Furthermore, simple random sampling table was used to select 20 correctional officers from a sample size of 60 correctional officers in the selected rehabilitation schools. Respondents were proportionately sampled across the correctional facilities.

The data obtained from the field was organized on the basis of source and serial numbers of the data pieces. The data was then inspected for completeness and then edited or errors. Before coding the data, all the data pieces from all instruments were identified and a list of all of them made.. After entering the data onto a display sheet, descriptive including means, percentages and standard deviations were computed. Qualitative data was received in verbatim, transcribed, organized, reported and recorded in themes and sub themes. All objectives were analyzed by use of descriptive statistics such as percentages. Mean, mode and standard deviation.

### Findings

The respondents for the study comprised of juvenile recidivists and correctional officers sampled from Kirigiti and Wamumu rehabilitation schools in Kirinyaga and Kiambu counties of Kenya respectively. Juvenile recidivist's committed offences before and after initial committal was established. The issues analyzed were number of times each juvenile was committed, age of the juvenile at initial committal, reasons for committing initial offence, Juvenile victims, Completion rate of committal terms, escape rate and reasons behind it, reasons for reoffending, and guardians of juveniles during offending and reoffending.

#### Number of Juvenile Recidivist's Committals

The study sought to determine the number of times each respondent had been committed.

**Table 1: Number of Times Juvenile recidivists' have been committal**

No. of Committals	Number of Juvenile recidivists	Number of Respondents (F)	Percentage of Respondents (%)
Twice	124	36	36
Thrice	209	64	64
<b>Total</b>	<b>333</b>	<b>100</b>	<b>100</b>

As indicated by table 1, out of 100 respondents sampled for the study, 64 (64%) had offended thrice while 36 (36%) had offended twice. These findings were interpreted to mean that all respondents qualified to participate in the study as they had reoffended. It also meant that majority of respondents are graduating into chronic offenders and taking criminality as their careers as majority had offended more than twice. The findings of this current study that majority of juvenile recidivists were growing into chronic offending were supported by findings by Malesi (2006) that 75% of juvenile recidivist in Soweto, South Africa had either offended thrice or four times.

The study also sought to establish the initial correctional facility that respondents were committed after committing their initial offence. Out of 100 respondents in the study who had offended, majority 90(90%) were initially committed in rehabilitation schools, 8 (8%) were put under supervision of responsible person, while 2

(2%) were committed in board school institution. This was interpreted to mean that majority of children who reoffended were from rehabilitation schools. This finding made this research viable as it intended to establish the cause of reoffending among juveniles who pass through rehabilitation schools.

This finding that majority of juvenile recidivists who had reoffended were from rehabilitation schools was supported by finding by Lavera (2002) that 78% of recidivists in approved schools were initially committed in the same institutions.

### Juvenile Recidivist's Age at Initial Committal

The study sought to determine the age of respondents at initial committal.

**Table 2: Juvenile Recidivist's Age at Initial Committal**

Age	Juvenile Recidivists		Correctional Officers	
	(F)	(%)	(F)	(%)
12-13	68	68	15	75
14-15	20	20	4	20
16-18	12	12	1	5
<b>Total</b>	<b>100</b>	<b>100</b>	<b>20</b>	<b>100</b>

As shown in table 2, out of 100 respondents in the study, 68 (68%) were aged 12-13 at initial committal, 14-15 years comprised 20 (20%), while those aged between 16-18 years had a representation of 12 (12%). This finding was supported by 15 (75%), 4 (20%) and 1 (5%) of correctional officers. This was interpreted to mean that juvenile recidivists began their criminal careers at average age of 12-13 years which could also mean that children who start offending at an early age and committed to institutional correction are likely to reoffend as compared to those who commit offences at later ages or are put under community supervision.

The finding of the current study that most juvenile recidivists began their delinquent at early age agreed with findings by Mukozi (2010) in his report on rehabilitation of juvenile recidivists in Kampala, Uganda that majority (76%) of juvenile recidivists were first convicted while within the age bracket of 10-13 years.

### Initial Offences committed by Juvenile Recidivists

The study further sought to establish the type of offence committed by respondents during initial committal.

**Table 3: Offences committed by Juvenile Recidivists during Initial Committal**

Types of Offences	Specific Offence	(F)	(%)
Offences against persons	Assault	1	1
	Creating Disturbance	2	2
Offences against property Drugs and Alcohol (possessions, trafficking, handling, usage)	Stealing	83	83
	Illicit Brew	12	12
	Drugs	1	1
Criminal damage	Malicious damage	1	1
<b>Total</b>		<b>100</b>	<b>100</b>

According to the findings in the table 3, out of the 100 respondents in the study, majority 83 (83%) of respondents were committed for the offence of stealing, 12 (12%) for being in possession of illicit brew, 2 (2%) for the offence of creating disturbance, 1 (1%) for the offence of assault, 1 (1%) for the offence of being in possession of drugs, and another 1 (1%) for the offence of malicious damage. This findings were interpreted to mean that most juvenile recidivists began their delinquent careers as petty offenders leading most of them to be convicted for the first time for stealing.

Participants in two Focused Group Discussions reported that majority of juvenile recidivists in the study committed offences against property during their initial committal. The main offences against property committed included stealing, burglary and house breaking.

The findings in the current study that majority of juvenile recidivists were committed for the first time for the offence of stealing, disagreed with findings of Hagan et al (2001) who found out after an eight-year comparative analyses of adolescent rapists and child molesters that adolescent sex offenders had a significantly higher likelihood of reoffending after release from a correctional facility than a control group of other non-sex offending adolescent delinquents.

#### Reasons given by Juvenile Recidivists for committing the Initial Offence

The study sought to establish the cause of respondents committing the initial offence. Out of 100 respondents in the study, majority (90%) of juvenile recidivists committed their initial offences because of negative peer influence as compared to 10% who committed their prior offences because of being in real economic need. Majority 16 (80%) of the correctional officers also indicated that negative peer influence contributed to more initial offending than economic factors. These findings were interpreted to mean that negative peer influence was the main causal factor for respondents to commit prior offence.

Participants in two Focused Group Discussions reported that negative peer influence was the main cause of offending among juvenile recidivists during the initial committal. The Focused Group Discussions revealed also that most of friend to juvenile recidivists are currently delinquents.

The findings of this study that majority of respondents committed their initial offence due to negative peer influence contradicted by finding of Mukozi (2009) that majority of (63%) of juvenile recidivists in Kampala, Uganda who had reoffended had committed prior offence due to of real economic need, 35% was due to negative peer influence while 2% was due to criminality in the family.

#### Juvenile Recidivist's Victim during Initial Offence

The study sought to determine the victim against which the respondents committed the offence.

**Table 4: Victim of the Juvenile Recidivists during Initial Offence**

Relationship with the victim	Juvenile Recidivists		Correctional Officers	
	(F)	(%)	(F)	(%)
Parents/Siblings	89	89	17	85
Uncles/Aunts	8	8	3	15
Non relatives	3	3	0	0
<b>Total</b>	<b>100</b>	<b>100</b>	<b>20</b>	<b>100</b>

As shown in table 4, out of 100 respondents in the study it can be revealed that majority 89 (89%) of 100 respondents in the study indicated that they committed prior offences against their parents and siblings, finding that was supported by 17 (85%) correctional officers. This was interpreted to mean that during initial stage of delinquency, children committed offences against close family members who are parents and siblings mainly out of the assumption that they were not likely to receive harsh punishment.

The finding that main victims of juvenile recidivists during prior offence were parents and siblings was similar to those of Morrison (2010) in report on drug and alcohol use by young offenders in Nevada State in United States showed that most recidivists offended against their parents and siblings during first committal.

The study further sought to establish how long the respondents were committed after committing the prior offence. The study found out that all respondents were committed for a period of three years according to Children's Act 2007. This was interpreted to mean that despite committing different offences, all respondents were committed for the same term without regard to findings by Vennard (1997) that committal terms vary according to type of offence committed, needs and risks assessment and history of delinquency.

#### Completion of Initial Committal Term by Juvenile Recidivists

The study sought to establish whether the respondents successful completed their initial committal term.

Table 5: Completion of Initial Committal Term by Juvenile Recidivists

<b>Committal Term</b>	<b>(F)</b>	<b>(%)</b>
Completed	22	22
Not completed	78	78
<b>Total</b>	<b>100</b>	<b>100</b>

As shown in table 5, out of 100 respondents in the study, 78 (78%) never completed their initial committal terms, while 22 (22%) of the respondents completed their terms.

This finding was interpreted to mean that unless the reason for not completing the committal term is offenders' quick response to treatment process, any other early release of offenders' without their full treatment result into repeat offending.

This finding that majority of juvenile recidivists did not complete their initial committal term was in line with finding by Lavera (2002) whose study on rehabilitation process in approved schools in Kenya found out that 60% of juvenile recidivists never completed their committal terms.

The study further sought to determine reasons that contributed to respondents not complete their initial committal terms. Out of 78 respondents who never completed their initial committal terms, 40 (51.28%) of the respondents did not complete their initial committal term because they escaped from correctional facility, while 38 (48.72%) respondents indicated that they never completed their initial committal terms as they were released early from correctional facilities. This finding was interpreted to mean that rate of juvenile recidivists are escaping from correctional facilities however no efforts are made to arrest the problem.

This finding that majority of juvenile recidivists did not complete their committal terms because they escaped agreed with findings by Malesi (2006) that out of 36% of juvenile recidivists who are committed for the first time in the town of Soweto, South Africa escaped within the first month of admission.

#### **Reasons given by Juvenile Recidivists for Escaping from Initial Correctional Facility**

The study further sought to establish factors that led the respondents to escape from the correctional facilities. out of 40 respondents who had escaped from correctional facility during initial committal, majority 17 (42.5%) of respondents indicated that they escaped from correctional facility because of use of corporal punishment by juvenile recidivists who were prefects and correctional officers, 10 (25%) escaped because of they missed their friends, 8 (20%) escaped because they missed home, while 5 (12.5%) escaped as they had missed parents. This finding was interpreted to mean that majority of juveniles escape from correctional facility due to problems in the correctional facility environment especially use of banned corporal punishment as mode of correction.

This finding that most juvenile recidivists escaped from correctional facility due to conditions in correctional environment was contradicted by finding by Peterson (2009) that majority (52%) of juvenile recidivists who escaped from Columbian correctional facilities was due to violent fighting by different juvenile gangs within correctional facilities makes living environment unsuitable to many offenders forcing many to escape.

The study further sought to establish the period respondents took before committing the second offence after leaving the correctional facility due to initial committal. Out of the 100 respondents in the study, 76 (76%) took less than one year to reoffend while 24 (24%) took between 1-2 years to reoffend. The interpretation of these results is that most respondents reoffended before completion of one year in the society. This implies that either correctional facility have failed to treat delinquency in juvenile recidivists or the initial risks and needs factors that forced juvenile recidivist into delinquency were not addressed before initial release. This findings that those offenders who reoffend do so within one year after release from correctional facility was in line by findings by Moles et al (1998) that revealed that in London 74% juvenile recidivists who develop into habitual offenders reoffended within the first year of release.

#### **Juvenile Recidivist's Second Committal**

The study sought to establish offences committed by respondents in their second committal, time they took before committing the second offence and what caused them to commit the offence.

#### **Offences Committed by Juvenile Recidivists during Second Committal**

After establishing the type of offences committed by respondents during initial committal, the study further sought to establish type offences committed by the respondents in their second committal.

Table 6: Offences Committed by Juvenile Recidivists during Second Committal

Types of Offences	Specific Offence	(F)	(%)
Sexual offences	Defilement	5	5
Offences against persons	Assault	8	8
Offences against property	Stealing	70	70
	House breaking	2	2
Drugs and Alcohol (possessions, trafficking, cultivating, handling, usage)	Illicit Brew	8	8
	Drugs	7	7
<b>Total</b>		<b>100</b>	<b>100</b>

According to table 6, out of the 100 respondents in the study, majority 72 (72%) of the respondents committed offences against property such as stealing and house breaking, 5 (5%) committed sexual offence of defilement, 8 (8%) had committed offences against persons especially assault while those who had committed the offences of possession, trafficking in drugs and alcohol had a representation of 15 (15%). This was interpreted to mean that during second committals, more juvenile recidivists had moved from committing misdemeanor offences to felony offences especially defilement and trafficking in drugs.

The findings that during second committals most juvenile recidivists committed more felonies as compared to misdemeanors were in line with findings by Mbuba (2004) in his study of socio demographic predictors of juvenile recidivism revealed that during second committal most recidivists committed more felonies than misdemeanors. Offences such as murder, traffic offences, trafficking in drugs and burglary were common.

#### Reasons given by Juvenile Recidivist's for committing Second Offence

The study sought to determine the factors contributing to respondents committing the second offence leading to their second committal. Out of the 100 respondents in the study, majority 67 (67%) of the respondents indicated that they committed second offence because of negative peer influence, while 33 (33%) revealed that they committed second offence because they were in real economic need. This finding was interpreted to mean that majority of the respondents committed their second offence because they were negatively influence by their peers.

This finding by current study that most respondents reoffended because of negative peer influence agreed with finding that 74% of all cases of reoffending among juveniles in the state of Louisiana, in United States reoffended because of negative peer influence as noted by Mbuba (2004).

The study further sought to establish the relationship between the respondents and their victims in their second committal. Out of the 100 respondents sampled for the study, 65 (65%) of them indicated that they committed second offences against close relatives that included uncles, aunts and grandparents. Further 15 (15%) of the respondents indicated that they their victims in the second offences were neither parents, siblings or close family relatives but non relatives. This finding was interpreted to mean that majority of the respondents were graduating into habitual offenders by committing offences against close relatives and not members of their nuclear family.

These findings that victims of respondents in their second committal were close family members contradicted the findings of Vennard (1997) that during the second committal of juveniles, majority (65%) committed offences against non-relatives than relatives.

#### Juvenile Recidivist's Second Committal Term

The study sought to determine committal term that the respondents served after second committal. The study found out that all respondents 100 (100%) indicated that they were committed for three years as per the children's Act 2007. This finding was interpreted to mean that as in the first committal, all respondents were committed to three years in institutional rehabilitation despite majority of them having escaped from previous correctional facility and even committing more serious offences during their second committal which could have called for longer committals for successful rehabilitation.

The study also sought to establish if respondents completed their second committal term. Out of the 100 respondents in the study, 34 (34%) did not complete their second committal terms, while 64 (64%) completed their terms. These findings were interpreted to mean that although 34% of the respondents never completed their second committal term, still it's on the high side when considering that these are children escaping from the correctional facilities untreated posing more security problems in the society.

The finding by the study that 34% of respondents never completed their second committal terms disagreed with findings by Ayaro (2009) that majority 98% of juvenile recidivists committed for the second time in boarstal institutions completed their committal terms without any problem due to the flexibility of their programmes and involvement of their parents and guardians.

The study further sought to determine the factors that led the respondents not to complete their second committal terms. Out of 34 respondents in the study who never completed their second committal term, 11 (32.35%) escaped from the correctional facilities while 23 (67.65%) were released early. These results were interpreted to mean that despite majority of respondents having escaped from their prior committal institutions before full rehabilitation, majority were gain released early during their second committal in the context of decongesting rehabilitation schools.

This finding that most of respondents never completed their second committal terms because they were released early agreed with finding of Mukozi (2004) that high percentage (78%) of juvenile recidivists committed for the second in correctional facilities in Kampala, Uganda never completed their committal terms because they were released early.

### Juvenile Recidivists' Third Committal

The study sought to establish the offences committed by respondents in their third committal, relationship between the respondents their victims, cause of reoffending and the person the respondent was staying with before third committal.

### Offences committed by Juvenile Recidivist in the Third Committal

The study sought to establish the type of offence committed by respondents in their third committal.

Table 7: Offences committed by Juvenile Recidivists in the Third Committal

Types of Offences	Specific Offence	(F)	(%)
Homicide	Manslaughter	1	1.56
Sexual offences	Defilement	8	12.50
	Indecent	2	3.13
Offences against property	Stealing	42	65.63
	Burglary	2	3.13
	House breaking	2	3.13
Drugs and Alcohol(possessions, trafficking, cultivating, handling, usage)	Illicit Brew	3	4.69
	Drugs	4	6.25
<b>Total</b>		<b>64</b>	<b>100</b>

As shown in table 7, out of the 64 respondents majority 42 (65.63%) indicated that they were convicted for the offence of stealing, 8 (12.05) because of the offence of defilement, offence of possession, trafficking and usage of alcohol and drugs had a representation of 3 (4.69%) and 4 (6.25%) respectively. Those who committed the offences of manslaughter comprised of 1 (1.56%) representation, while offences of burglary and house breaking had representation of 2 (3.13%) each. This finding was interpreted to mean that majority of respondents who had been convicted thrice had committed more felonies than misdemeanors than in the first and second committals.

In the two Focused Group Discussions conducted, the participants concluded that juvenile recidivists committed less serious offences during initial offences as compared to third committal where they committed serious offences such as trafficking in drugs, defilement, burglary, house breaking and manslaughter.

The finding by the current study that majority of the respondents committed more felonies than misdemeanors was found to be in line with finding by Mbuba (2004) that during third and fourth committals majority of juvenile recidivists in the state of Louisiana, United States committed more felonies than misdemeanors such as murder, traffic offences, robbery with violence, defilement and rape.

The study further sought to establish the reasons that led the respondents to commit the third offence that led to their third committal. Out of the 64 respondents that were convicted thrice, majority 50 (78.13%) indicated that negative peer influence was the main factor that contributed to their third offending, while only 14 (21.97%) of the respondents indicated the cause of their third offence to be real economic need. This result was interpreted to mean that majority of habitual delinquents in the study were influenced negatively by their peers.

This finding in the study that negative peer influence was the major contributory factor to habitual offending among respondents agreed with findings of Mbuba (2004) that in the state of Louisiana, United States majority (80%) of the juvenile recidivists committed serious offences after being influenced by their peers..

### **The Person Juvenile Recidivists were staying with before Third Committal**

The study sought to establish the person with whom respondents were staying with third committal. Out of the 64 respondents who had been committed for the third time, the study found out that majority 44 (68.75%) of the respondents were staying with friends, 11 (17.19%) of the respondents indicated that they were staying with their mothers only; those respondents who were staying with their fathers only comprised 1 (1.56%) while those who indicated that they were living with their guardians had a representation of 8 (12.50%). Also majority of correctional officers 16 (80%) out of the 20 indicated that majority of the juvenile recidivists were staying with friends before current committal. These findings were interpreted to mean that respondents have developed into chronic offenders as majority of them no longer stayed with their parents or guardians but with their peers found to be delinquent themselves.

These findings of the study that majority of respondents were staying with their friends before committing third offence is in line with the finding by Peterson (2009) that 67% of delinquents in juvenile correctional institutions in Colombia were staying with friends in juvenile street gangs.

### **Juvenile Recidivist's Victim in third committal**

The study further sought to determine the victim against which the respondents committed their third offence. It was found out that, out of 64 respondents who were convicted thrice, majority 36 (56.25%) of them indicated that they committed offences against people who whom they had no relations, 20 (31.25%) committed their third offence against close relatives while 8 (12.50%) committed offences against parents and their siblings. This result was interpreted to mean that majority of respondents had committed offences against non-relatives as they were no longer staying at home but away from home with friends proving the earlier finding that respondents had developed into chronic delinquents.

This finding of the study that majority of the respondents committed their third offences against non-relatives agreed with finding by Morrison (2010) that the main victim in third and fourth committal of juvenile recidivists in the state of Nevada, United States were non relatives. According to him as juvenile recidivist develops into habitual offender his links with the family system becomes weak and therefore he tends to live an independent life with main support coming from his delinquent friends.

### **Labeling of Juvenile Recidivists after Initial Release**

The study sought to establish how respondents were received by parents and friend after initial release from correctional facility. The study found out that, out of 100 respondents in the study, 60 (60%) indicated that they were never received well by parents after initial release into the society, as compared to only 40 (40%) who indicated that they were received. Furthermore, 98 (98%) of respondents indicated that they were received well by their friends as compared to 2 (2%) who indicated that they were never received well. This finding was interpreted to mean that more respondents were received well by friends as compared to parents. This also meant that majority of respondents were neglected by their families of being offenders.

The finding that majority of respondents were received well by friends than parents agreed with that of Anyangu (2003) who reported that in South Africa, more juvenile recidivists were welcomed back into the society warmly by friends than parents.

The study further found out that, out of 60 (60%) respondents who were negatively received by parents and guardians, 32 (53.33%) were physically chased away and told to go back to where they came from while 28 (46.67%) were neglected and discriminated. This meant that respondents who had negative reception from parents and guardians were labeled. The study also found out that out of 98% of respondents who indicated that they were received well by friends, revealed that they received both moral support and material support from them. This finding was interpreted to mean that most respondents never received both psycho social and

material support from their immediate family members after initial release further pushing them into same delinquent social networks they were initially involved in.

The study therefore revealed that majority (83%) of children who committed the offences against property during their initial committal were more prone to reoffending than children who committed the offence of being in possession, trafficking, handling and usage of drugs and alcohol where only 1(1%) of children who committed this type of offence during their initial committal reoffended. These results therefore revealed that offences against property had greatest influence on juvenile recidivism among juvenile recidivists in Kiambu and Kirinyaga counties than offences of being in possession, trafficking, handling and usage of drugs and alcohol. During initial committal, offences against property constituted 83%, during second committals of respondents they constituted 72% of all offences committed, while during third committal, offences against property had 71.89% representation.

The study also found out that the main offence against property that had the greatest influence on reoffending was stealing. During initial committal, the offence of stealing constituted 83% representation of total offences against property committed, during the second committal, the offence of stealing had 72% representation and 65.63% among offences committed during third committals.

### **Key Findings**

The objective of the study was to evaluate the influence of nature of offences committed by juvenile recidivists on juvenile recidivism. The study found out that 64% of juvenile recidivists in the study had reoffended thrice. The study also found out that 90% of the juvenile recidivists were first committed in rehabilitation schools and majority 68% were initially convicted for the first time at the age of 12-13 years. On the type of initial offences committed, the study found out that 59 % of the juvenile recidivists committed misdemeanors than felonies and 50% committed prior offence because they were in real economic need.

Majority (89%) of the juvenile recidivists committed prior offence against their parents and siblings. The study further revealed that 76% took less than one year to commit the second offence. In the second and third committal, all juvenile recidivists committed felonies against close relatives and non-relatives respectively. Negative peer influence contributed to second offence and third offence. Majority (68.75%) of the respondents were staying with friends at the time of committal of for the third offence. The study also found out that 90% of the respondents were labeled by parents and siblings.

The study therefore revealed that majority (83%) of children who committed the offences against property during their initial committal were more prone to reoffending than children who committed the offence of being in possession, trafficking, handling and usage of drugs and alcohol where only 1(1%) of children who committed this type of offence during their initial committal reoffended. These results therefore revealed that offences against property had greatest influence on juvenile recidivism among juvenile recidivists in Kiambu and Kirinyaga counties than offences of being in possession, trafficking, handling and usage of drugs and alcohol. During initial committal, offences against property constituted 83%, during second committals of respondents they constituted 72% of all offences committed, while during third committal, offences against property had 71.89% representation.

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### **Conclusions**

The objective of the study was to evaluate the influence of nature of offences committed by juvenile recidivists on juvenile recidivism. The study concluded that although the nature of offences committed by juvenile recidivists was to intervene and reduce their reoffending, the type of offence committed at initial committal was found to have influence on reoffending. The study found out those juvenile recidivists who committed property offences especially stealing during initial committal were found to reoffend more than those who committed other type of offences in Kiambu and Kirinyaga Counties of Kenya.

### **Recommendations**

The study sought to evaluate the influence of nature of offences committed by juvenile recidivists on juvenile recidivism. The key finding of the study was that those juvenile recidivists who committed property offences especially stealing during initial committal were found to reoffend more than those who committed other type of offences. It was therefore concluded that property crimes committed during initial committal term highly contributed to juvenile recidivism among juveniles in Kiambu and Kirinyaga Counties of Kenya. The

study therefore recommended that rehabilitation programmes should aim their intervention programmes at the root cause of reoffending.

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