

General Data Dissemination Project (GDDS II)

The World Bank

REPORT

Technical Assistance to the Kenya National Bureau of Statistics

Second mission

Justice and Security Module

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GDDS MODULE ON JUSTICE AND SECURITY (J&S): REPORT ON SECOND EXPERT VISIT TO KENYA

My second expert visit to Kenya took place from 16-21 November 2008. This report details my activities during this visit, the progress I saw since my previous visit and makes some interim recommendations.

1. BACKGROUND

1.1 Annex A details the previous activities in this GDDS Module. For this second expert visit to Kenya, the Kenya National Bureau of Statistics had set up a series of meetings, based on the terms of reference for the visit. Annex B summarises the meetings of the Justice and Security Statistics Committee. Annex C lists my meetings with agencies and developments in their work since my last visit. I also attended Africa Statistics Day on November 18th and was able to see the enthusiasm with which statistics are presented, planned for and talked about in Kenya.

1.2 Kenyan hospitality was, as is usual, excellent, and good facilities were available, including transport. I am very grateful to Mr Robert Buluma of KNBS, for his organisation and to all those who gave up their time to discuss Justice and Security Statistics with me.

1.3 I attended a meeting of the Justice and Security Committee on the first day of my visit and reported back to a meeting at the KNBS on my last day.

2. SUMMARY

2.1 There have been some useful developments since my last visit, especially considering the post-election situation and the gap in donor activity which has only just resumed. I found particular developments in:

- a. The use made of statistics for internal policy and operational use in agencies,
- b. The first meetings of the KNBS committee on Justice and Security Statistics,
- c. The appointment of the acting deputy director of the new National Crime Research Centre,
- d. The growing number of requests for specific data and for assistance from the KNBS, especially from the August 2009 Census,
- e. The release of money from GJLOS for some agencies.
- f. The inclusion of some of my previous recommendations in strategic planning documents for statistical units within agencies.

2.2 There has been less progress in:

- a. Changing the actual data collection processes,
- b. Developing IT systems that actually deliver new statistics,
- c. Harmonisation and Publication.
- d. Sharing information between agencies
- e. Agencies producing data especially for another agency: eg the Judiciary producing statistics on sentencing in courts for the use of the Police and the Prisons.

2.3 Within agencies the most pressing need is to achieve results from the strategic and balanced planning that has started. All aspects of the statistical system need to be developed in parallel: data collection, analysis and publication: development of IT hardware: investment in IT

software: statistical and IT training for those producing the statistics: and building on the recent increases in the use of statistics for policy and operations.

2.4 The position of KNBS has been one of successful progress in the governance area. However, this success has resulted in a lack of balance between expectations and resources available. The KNBS JSS committee has empowered statistical people within agencies to ask for more, both from their own systems, from other agencies and from the KNBS.

2.5 However, KNBS is very understaffed in the governance area, and the staff in it has have other responsibilities that will only grow in the 9 months to the next Census in August 2009. It is clear to me that the demands for work on governance are now outstripping the resources that have been put into it so far.

2.6 As I mentioned before, improvements in justice and security statistics will be a long haul, paralleling the reform of the justice system itself. This will involve hard work over perhaps 5 or 10 years. It will extend beyond this particular GDDS programme. It will be achieved in small steps, not through big jumps. Kenya is carrying through a process that many justice systems Europe, etc took around 20 years to achieve. GDDS has started off the process very well but the main engine will be the work of Kenya statistical, planning and IT staff.

2.7 I see a large improvement in openness in Kenya. Also more people using statistics for operational purposes. Where statistics are published they are very up to date. The importance of KNBS has grown substantially and the demands on the bureau have increased, especially with the Census coming. The NCRC has been set up. KACC is strong and its reports are achieving importance and a new National Crime Research Unit is in the process of being set up. Economic Growth is strong.

3. PRIORITIES

3.1 I followed the priorities set out in the TOR:

	Kenya	Items discussed
Priority 1	General issues, setting up new structures for co-ordination, harmonization and publication (20% of time)	<ul style="list-style-type: none"> a. working of the statistics committee b. planning for UK study visit c. data collection instruments (more work needs to be done on this) d. computerization was discussed. KNBS committee needs to develop a role in pressing for better IT systems e. Publication and improving web sites was discussed with JSS committee. f. Burden on KNBS has grown: solutions were discussed.
Priority 2	Improve Police Crime Statistics and other data collection/ publication systems (20%)	<ul style="list-style-type: none"> a. Need to capture in more detail crimes reported, along with demographic data on suspects and victims. b. Need to capture more data on what police do. This is often already available: eg for post-election disturbances. c. Improvements in GIS use discussed
Priority 3	Improve Judiciary Statistics data/collection/publication systems (20%)	<ul style="list-style-type: none"> a. Need to capture numbers and details of cases disposed of by outcome of disposals, length of sentences, etc. b. Develop strategic plans for statistics to deliver more outcome measures c. Need for more resources, especially on statistics
Priority	Improve Prison Statistics data	<ul style="list-style-type: none"> a. Disappointing progress with new software PRMS,

4	collection/ publication systems (20%)	which is not yet being effectively piloted. Need to kick start IT department's activity in this area.
Priority 5	Improving Probation Statistics IT and data collection systems and improving publication arrangements (20%)	<ul style="list-style-type: none"> a. Positive IUT developments discussed b. Good developments in data capture and use c. Need to develop new software to capture individual data on offenders on probation, CSO and after care

3.2 The main issues discussed during my visits to agencies were:

Topic Areas	Issues discussed	Outcomes
KNBS	Coordinating machinery Statistics Publication Web site improvement Including new agencies Study visit to the UK Census demands	More regular meetings are needed of the JSS committee Publications continue to improve This is under discussion I still need to visit the DPP and the new NCRC This is likely to go ahead in January 2009 Demands on KNBS have grown from many agencies
Police	Data collection Data use Data quality IT developments Use of IT software Use of GIS system	No specific changes are planned or have taken place Much analysis has been carried out for internal use. No specific checks on quality of data are carried out Recent new PCs at HQ. More PCs needed at Stations and provinces to ensure data entered locally. More use could be made of database software already at HQ Plans to create new work space to better use GIS
Judiciary	Strategic Plans Data collection Data use Data quality IT developments Resource need	My recommendations have been taken into current plans. Data collected on paper only Use of court workload only No independent check of quality Two PCs at HQ. Large number in Courts. PCs not being fully used either at HQ or in courts, as more software is needed Small unit is overburdened with planning tasks. More staff are needed specifically for statistics tasks which are not been given any priority.
Probation	Data collection Data use Data quality IT developments	Big improvement with data now being received electronically Good of workload statistics This has also improved Provinces now have PCs and internet. However, software is needed for offender database management and this is planned for January-March 2009.
Prisons	Data collection Data use IT developments	Data collected on paper only Need for greater use of statistics appreciated but resources not available to undertake this PCs now available at HQ and in a few prisons, but not more widely. Prisons Record Management System software now developed but piloting has been slow in getting off the ground. Some prisons have devised their own systems to assist with security of offenders.
Other agencies	KACC. Attorney General National Crime Research centre Children's Department GJLOS Kenya Electoral Commission. Immigration Dept Registration Dept	Good statistics at the anti-corruption commission Only able to discuss issues with junior staff I have opened e-mail discussions with acting deputy head of new NCRC As a result of my visits closer links between KNBS and CD have been set up Now a permanent office in MOJ, Close links need to be maintained with KNBS Main concern is with data quality and need to ensure all deaths are remove from register Closer links with KNBS Main concern is data quality

4. ACTIVITIES DURING VISIT AND FINDINGS FOR EACH AGENCY

I visited each agency involved in governance statistics. I attended the meeting of the statistics committee (see Annex B). I reported back to a combined meeting of all the agencies at the KNBS on my final day of each visit. The full agenda, including all persons visited, is at Annex C My findings are summarised below:

4.1 All agencies

- a. All agencies should ensure they join in regular discussions about needs and infrastructure through the **KNBS JSS committee**. These discussions should become more focussed and realistic plans for the next twelve months should be set out for the committee.
- b. All agencies should continue to encourage their senior officers to make **more use of statistics in planning operations and policies**. In particular statistical units should produce indicators of workload that are useful for the senior managers.
- c. Agencies should also **follow the progress of GJLOS** which has now become a permanent office within the ministry (<http://www.gjlos.go.ke>) and interact with their work as much as possible. This would encourage agencies to take a wider view of the statistics they should produce.
- d. All agencies should continue to **develop indicators of performance** that extend the collection of statistics by relating them to other statistics such as population, resources and those of other agencies (eg. police per 100,000 population: cases solved by police: proportions of cases heard within 6 months of arrest: criminal reconvicted within 2 years of leaving prison: success rates for probation programmes: public confidence measures.)
- e. All J&S agencies **should improve their web sites** and discussions within the JSS committee should aim at doing this during 2009. Some agencies already have good practice in this (KACC and GJLOS are examples). When they publish statistics, agencies should include more metadata on their web site, following the good practices of KACC in showing methodologies. All agencies should link their web sites to each other.
- f. All agencies should take advantage of the JSS committee to work more together, through common statistical developments but also through **common visits to see good practice**, including study visits to other countries within the region.
- g. My recent **report on developments in Tanzania** should be made available to all agencies and they should read through the parts of it that refer to their equivalent agency.
- h. The JSS committee should press ahead with their **visit to the UK** to study practices there.
- i. All agencies should **be in touch with the new National Crime Research Centre**, who could also be invited to the committee. (ncrckenya@gmail.com)
- j. All agencies should **review their data collection instruments** in the context of the latest developments, IT and other wise. A review of data instruments should be an important part of the final visit of the expert in Spring 2009.

4.2 Kenya National Bureau of Statistics

- a. KNBS should **increase the staff resources** they put into justice and security statistics. Expectations in this area are growing and there is danger that the expectations will outstrip resources to deliver results.
- b. The **JSS committee** has made a good start but it now needs to develop a way of working that will enhance its authority and yield useful outputs as developments for JSS statistics. The following suggestions are made for its working:
 - i. JSS committee should meet every two months or so

- ii. It should develop a strategic plan for the next 12 months in which one or two topics should be discussed in depth.
- iii. Each meeting should include a report on developments from each agency: eg discussions of improvements to publication: publicity.
- iv. The committee should also develop a corporate identity: this could include, eg:
 - joint publications:
 - joint visits to each other's agencies to see statistics in practice:
 - joint visits to local sites to see data being collected and IT systems:
 - study visits to other countries such as Tanzania.
- v. The committee should ensure that all existing data collection instrument are collected together in time for the visit of the expert in Spring 2009. One meeting at least should be developed to this problem.
- c. KNBS should **enhance their web site** to have more statistics on governance to readily accessible and link their web site to other agencies.
- d. KNBS should give priority in their **census analysis** to produce data requested on governance statistics.
- e. KNBS should discuss with KACC their recent request for Statcap funding to enhance KACC's **ability to analyse their corruptions perception survey**.
- f. KNBS should discuss with the Children's Department their forthcoming request for help in **enhancing the categories of children on their database**, in lines with the UNCRC recommendations.
- g. KNBS should consider whether StatCap can **fund an extra PC for Probation Department** to ensure that their probation data base now being developed can stand alone to avoid the failures that have plagued their existing computers.
- h. KNBS IT experts should give advice to Probation Dept on how to best use the new offenders software once it is developed to ensure it is implemented properly: eg **security issues**.
- i. KNBS should **meet with NCRC** to discuss the relationship between the two agencies.
- j. KNBS and DPP should discuss **how more DPP statistics should be published** in the Economic Survey.
- k. KNBS should use the **growing authority of its JSS committee** to press IT groups in various ministries (eg. Probation and Prisons) to see through the development of the IT systems which have been only partially developed.

4.2 Police

- a. Police should develop a **new data collection instrument** for serious offences. This would be sent in by Radio signal as at present until it could be sent in via computers once they become available at provinces and districts.
- b. **More computers are needed** for data capture, at least in the main police forces and the current methods of capturing statistics by signal should be replaced by networked computers.
- c. **The move to better premises** to enhance the use of the GIS should proceed
- d. There should be **more local visits to check the data**. Eventually all data should be entered locally and use made of it locally as well as at HQ.
- e. **More use should be made of the serious crime data** being entered onto the Access database. More analysis of data collected should be carried out on characteristics of offences and offenders.
- f. Close links should be set up with the **National Crime Research Centre** now that it has been set up (ncrkenya@gmail.com)
- g. More data should be made available on **arrests and prosecutions**: eg in the Economic Survey.

- h. More **data should be shared** with other criminal justice agencies, following the good practice in the annual reports of some local probation areas..
- i. Police statisticians would benefit from a **study visit to other jurisdictions**, such as Tanzania, where problems are similar.

4.3 Prosecution: Director of Public Prosecutions (DPP):

- a. The DPP's office should be **invited to join discussions** about Justice and Security statistics under the proposed KNBS committee and discuss how more statistics should be published in the Economic Survey.
- b. KNBS should consider whether **statistical training** could be provided under STATCAP.
- c. In a future visit the **expert should revisit the DPP**, to carry out further discussions, view what statistics were being maintained, what software was being used and share with the DPP his statistical work for the Crown Prosecution Service in England.
- d. The **new National Crime Research Centre**, currently within the Attorney General's Office, should join in statistical discussions on justice and security,
 - o Many of the recommendations of my 2005 report are relevant to the work of this NCRC (eg RECs 29 and 30) The NCRC acting Deputy Director has been copies of that report
 - o The NCRC should be encouraged to create a working relationship with the research groups within other jurisdictions, to see good practice and avoid reinventing methodologies. For many European research groups and for growing number of African ones, this could be done via web site analysis
 - o NCRC should consider whether KNBS should sit on their Governing Council
 - o KNBS should see whether statistics training for NCRC could be funded from STATCAP.
 - o NCRC should be invited to sit on the KNBS J&S statistics committee.
 - o The GDDS expert should visit NCRC in Spring 2009 to discuss the GDDS work on improving governance statistics. He will maintain links with the Deputy Director meanwhile.

4.4 Judiciary

- a. When compiling its strategic plan, the Judiciary should carry out a **needs assessment** of the views of other agencies for what should be produced from the courts records and take account of the recommendations of the GJLOS report on administrative records regarding the Judiciary (GJLOS, 2007, p. 23+)
- b. Planning Unit **should recruit statistical staff** and enhance data analysis publication and use as a matter of urgency.

4.5 Probation and After Care

- a. Now that computers have been made available for local probation offices and a network set up, Statistics unit should encourage **all provinces to submit data electronically**.
- b. Research and Statistics Unit should continue to press their Minister's IT group to start the **software development as soon in the New Year as possible**.
- c. Once the new software is ready, Research and Statistics Unit should take put in place careful **arrangements for the security of their data**. This should involve advice from IT specialists, including those at KNBS, but this is likely to include:
 - Having a stand alone machine for this data to avoid loss of data or infection by viruses.
 - Backing the data up on a daily basis

- Avoiding the use of external computer sticks on the stand alone computer
 - Having the most up to date virus checker on their machine.
- d. Research and Statistic unit should continue their development of **commenting on statistics** and sending these commentaries to operational staff.
 - e. Research and Statistics unit should continue their good practice of **calculating indicators** of workload and percentage comparisons between referrals and orders, etc.
 - f. Resources should be made available for **more local visits** to encourage data improvement.
 - g. The HQ **staffing should be strengthened** with the addition of some IT and statistical expertise, so that current computers should be used more efficiently.

4.6 Prisons

- a. The main development is **the lack of progress in piloting the PRMS software** that was developed earlier this year.
- b. **Urgent discussions** should take place between prisons HQ statistics unit, KNBS and the IT group that is charged with piloting the PRMS software. If Nairobi remand is unable to pilot PRMS successfully because of their concentration on their alternate system, then other prisons should be invited to pilot the software.
- c. Prison Service should open links with their **equivalent in Tanzania** who have similar problems and are developing similar solutions (for contacts, please see my report on Tanzania to be made available at the same time as this report.)
- d. Prison service should **recruit sufficient staff** to put into effect the recommendations made by me in 2005 and the GJLOS report in 2007, modified, as necessary to allow for developments since they were made, and improvements in technology.

4.7 Kenya Anti-Corruption Commission (KACC)

- a. KNBS should seek **STATCAP funds for KACC** where these are lacking: eg for statistical software or statistical training. In particular, KACC and KNBS should discuss the proposal that KACC analyse itself the data collection on perception of corruption surveys.
- b. KNBS should include some **KACC data in its annual publications**, including on the KNBS website and links to the KACC web site from its own.
- c. KNBS should **discuss with the Judiciary and the DPP** how the available statistics in all three agencies could be more useful to each other.

4.8 The Children's Department

The Children's Department has many roles relevant to J&S for younger people and access to various data sources. The GJLOS report (GJLOS, 2007, p. 31+) makes various statistical recommendations and with its wider remit under the Statistics Act 2006, KNBS now has a role in seeking better arrangements for the collection and analysis of these data within the Children's Department.

- a. KNBS should continue to give **statistical and IT advice** to Children's Department
- b. CD should develop their **request for assistance from KNBS IT group** in extending the number of categories of children included on their data to meet UNCRC recommendations.
- c. CD continues to **attend the JSS committee** and join in discussions on how justice and security statistics can be developed.

4.11 Kenyan Electoral Commission

- a. ECK should continue to join in discussion in the **JSS statistics committee** as they have a research arm to produce policy and action research to inform on the areas of social and political development with specific attention to politics and democracy, best electoral practices, public participation, electoral administration and management and causes of non-registration in Kenya. KBNS should include registration data in their publications.
- b. ECK should continue to **improve their data quality**, by improving links with other registration data such as recording of deaths.

5. DELIVERABLES PRIOR AND DURING VISIT

5.1 Reports: The much larger number of reports reflects the growing breadth of the subject and the greater number of agencies visited:

- i. Previous reports on statistics in Kenya, available from the author
- ii. KNBS Statistical Abstract 2008
- iii. KNBS Economic report, 2008, including a 20 page Chapter on governance statistics
- iv. Kenya Facts and Figures 2008, including a short section on governance statistics.
- v. Catalogue KNBS publications
- vi. KNBS Labour Force Analytical report, April 2008
- vii. The 2008 consumer price index
- viii. Food insecurity assessment in Kenya
- ix. Well-being in Kenya: A Socio-Economic Profile
- x. Constituency report on Well-being in Kenya.
- xi. KNBS: Kenya Demographic and Health Survey Questionnaire, 2008
- xii. Kenya Gazette Supplement: The Children's Act, 2001, p.493+
- xiii. The Children Act, Laws of Kenya: Sheria ya Watoto: Sheria za Kenya, Cap 586
- xiv. UN Committee on the Rights of the Child: 44th Session: 2nd Kenya Country report:
- xv. UN Committee on the Rights of the Child: 44th Session: Concluding remarks: Kenya
- xvi. UN Committee on the Rights of the Child: 44th Session: Kenya government response
- xvii. KACC: National Corruption perception Survey, June 2007
- xviii. KACC: National Corruption perception Survey, 2007: Frontline against corruption
- xix. KACC: Public Officers Integrity Survey, 2007
- xx. KACC: National Enterprise Survey on Corruption, 2007

Web sites accessed:

- i. KBNS web site: www.knbs.go.ke
- ii. Kenya Police <http://www.kenyapolice.go.ke/crime%20statistics.asp>
- iii. Kenya Prisons The site www.prisons.go.ke/ is under construction and the lack of such a site is a hindrance to the availability of data and information
- iv. Kenya Anti-Corruption Commission <http://www.kacc.go.ke/>
- v. Electoral Commission of Kenya <http://www.eck.or.ke/>
- vi. Kenya Immigration department <http://www.immigration.go.ke/>
- vii. Kenya Children's Department <http://www.gender.go.ke/>
- viii. Governance, Justice, Law & Order Sector Reform Programme www.gilos.go.ke
- ix. Kenya Judiciary <http://www.judiciary.go.ke/website/index.php>
- x. Kenya Attorney General's Office <http://www.attorney-general.go.ke/>

6. FUTURE EVENTS

6.1 Following my recommendation, the justice and security statistics module coordinator in KNBS, Robert Buluma, has been invited by the UNDP to a workshop in Addis Ababa in December 2008, to participate in a parallel initiative to improve justice and security statistics, particularly in the use of data collected through household and other surveys.

6.2 A study visit to the UK by the Kenyan justice and security statistics committee is being planned for January 2009. English agencies that collect and use data will be visited and systems viewed. Good practice will be noted and possible ways of copying these will be considered. Its logistics are being assisted by colleagues of the visiting expert in London.

6.3 A final GDDS workshop, lasting 3 days, for all countries to attend, is likely to be held in Kenya in May 2009. The agenda for such a workshop is likely to centre on the Presentations of progress on J&S statistics by each country, including: Future plans for justice and security statistics following GDDS: The use of statistics in policy making, measuring performance and in improving public understanding: indicators for each J & S area: regional co-operation.

6.4 It is important that good practice learned from these visits and workshops should be shared in full through reporting back to the justice and security committee.

7. NEXT EXPERT VISIT SPING 2009

7.1 The intention of KNBS is to hold regular meetings of their justice and security statistical committee and share committee progress with the statistical expert. This committee will also prepare for the visit of the expert by collecting information and informing all agencies of the terms of reference of the visit.

7.2 The second expert visit should include visits to all relevant agencies: to new agencies not previously visited¹, possibly a general seminar for all agencies to sensitize them to the need for improving the appreciation of agencies and the public to J&S statistics. The visit will also revisit data collection instruments and the progress made on developing IT systems.

8. TRAVEL AND ACCOMMODATION ARRANGEMENTS

These went off very well. Staying in the Hilton Hotel was more convenient for accessing the various government offices that I needed to. All the KNBS arrangements were fine. Unlike Dar Es Salaam there was no problem with day to day security.

9 ON CONTRACTING

No problems worth noting. Any details will be taken up when claiming fees and expenses.

¹ For example the new Public Complaints Standing Committee, set up as the possible precursor of an Ombudsman's Office.

10 FINAL REFLECTIONS

Kenya public administration, in 2008, is much more open to new thinking than it was in 2008. It is looking for better ways of delivering services to the public in a much more efficient way. Some of this has become about through a general growth of openness following strong economic performance: some through specific initiatives such as the GJLOS: some through officers being part of International Aid efforts where they have seen better systems put into place.

However, this new thinking is counterbalanced by decades of under investment in information gathering, particularly in IT systems. There is also a lack of understanding of the need for joined up thinking and of the machinery for ensuring that this takes place. The move to joined up thinking can take place with no significant input of resources, and will ensure that such resources that do become available are shared out to the benefit of the justice system as a whole. This is likely to require a decade or more of continuous gradual improvement before the Justice & Security Statistical systems of Kenya improve enough to be able to serve the country in the way that they should. The World Bank programme STATCAP will only provide small amounts of this investment with most having to come from GOK or other donors.

Chris Lewis, GDDS J&S Module Statistical Expert and Module Manager, November 2008

ANNEX A BACKGROUND AND PREPARATION FOR VISIT

1. The GDDS Phase II programme consists of three workshops and two expert visits. It started in March 2007 and will end by around mid 2009.

- Kenya attended the first workshop in Dar Es Salaam in March 2007 where a work plan was drawn up.
- The first expert visit took place before and after the December 2007 elections. My report made some general and more specific recommendations. It was circulated to all Kenya agencies of Justice and Security, through those attending the Justice Statistics Committee.²
- Many of the recommendations in those reports are more longer term and have been incorporated into future plans. Others are already being implemented.
- During 2007 the World Bank StatCap programme provided some IT hardware for statistical departments in justice and security agencies and enhanced some statistical training.
- Kenya also attended a second workshop in Mauritius in March 2008, where common statistical issues were discussed and training was given in these and IT solutions. A more technical report on this workshop has been sent to KNBS, which could be useful for statistical units within the Kenya justice and security agencies.
- KNBS was also asked to speak at the annual meeting of the GDDS programme in Cape Town, as an example of good practice in the field of implementing improvements to Justice and security statistics.
- During 2008, KNBS created a justice statistics committee, which has met twice to discuss statistical issues. A copy of the minutes of the first committee is attached at Annex A.

2. Of the four other countries, participating in this justice and security model:

- Tanzania is the closest in terms of common problems, size of population, amount of crime and development of statistics.
- Namibia is a mainland African state, of much smaller population but with similar justice and security problems. However, its ability to participate fuller in GDDS has been compromised by internal bureaucratic problems.
- Mauritius and Seychelles, although with some common issues for Kenya, are much smaller countries, with specific problems stemming from being island states with much smaller populations.

3. A report on the expert visit to Tanzania will be made available to KNBS at the same as this report. The Tanzanian report could be a useful additional source of some good practice for Kenya justice and security agencies. Reports for the other three countries are also available if wanted, from the author of this report, but they are of less immediate relevance to Kenya.

4. Part of the aim of the GDDS Phase 2 programme is to encourage countries to work together in regional groupings to discuss common issues. Given the position of the four other countries noted in paragraph 1.2, working together with Tanzania to discuss common issues and exchange good practice could well be a good investment in the future of Justice and security statistics. Such closer working is likely to feature in future World Bank work and funding.

² GDDS Module on Justice and security Statistics: report on first expert visit to Kenya: KEN 31/03/08_REP_LEWIS. Further copies are available from Robert Buluma at KBNS or from the author at (cglewis42@googlemail.com)

ANNEX B

MEETINGS OF THE KNBS JUSTICE AND SECURITY STATISTICS COMMITTEE

A. MINUTES OF THE FIRST JUSTICE AND SECURITY STATISTICS COMMITTEE MEETING HELD ON 25TH SEPTEMBER AT 9.30 IN NYAYO HOUSE CONFERENCE, 17TH FLOOR

PRESENT

1. Robert Buluma – KNBS/Chairperson
2. Mrs Gertrude Audi – Probation/Vice Chairperson
3. Mr Charles Omondi Ooko – Prisons
4. Mr Juliys Abadha Aran – Prisons
5. Mr A A Awes – KNBS
6. Mr Stephen Okere – Police/Secretary

APOLOGY

1. Mr Rapando – Judiciary

Agenda

1. Opening remarks
2. Matters arising from previous meetings
3. Linking up JSS Statistics
4. Dissemination of JS Statistics
5. Prof Lewis Report
6. Tables to be included in JS Statistics
7. A.O.B.

MIN 6/9/2008: OPENING REMARKS

6.1 The Chairman called the meeting to order and thanked the members for reporting on time. He outlined the main functions of KNBS as data collection, data analysis, dissemination of results to data users and producers, archiving of survey and census results as stipulated in the Census Act 2006. He said further that the Statistics Act 2006, which was implemented in February 2007, redefined the mandate of KNBS. The Act transformed the then CBS into an autonomous organization, managed by a Board of Directors. This Act led to the formation of National Statistical System which comprises of data users, data producers and data suppliers. The NBSS is defined by a legal framework, infrastructure and institutional arrangement for collection, collation, management, dissemination and utilization of official statistics.

MIN 7/9/2008: MATTERS ARISING

7.1 The Meeting was informed that money set aside by Statcap project for probation and Aftercare department for reviewing of data collection instruments is not enough. The meeting agreed that the department comes up with a detailed plan and present it to Statcap for a decision to be made.

7.2 The Chairman informed the meeting that he has already communicated with Prof Lewis on the issue of study tour to the UK by JSS Committee. Prof Lewis has already requested an employee of the Home Office to communicate the Home Office's acceptance to the Director General, KNBS. The tour is likely to be held in early December 2008.

7.3 Mrs Gertrude Audi informed the meeting that she had not received the laptop promised in the previous meeting but was advised to get in touch with Mr Monyoncho.

7.4 It was agreed that the contents of the performance agreements that are supposed to be signed between KBNS and other agencies collaborating with the Bureau in production of official statistics in JSS sector be sent to the different institutions for comments before they are finalised and signed. **Action: Mr Buluma**

MIN 8/9/2008: LINKING UP OF JSS WEBSITE

8.1 It was agreed that linking up of the JSS website should be fast tracked with respective members tasked to consult with their seniors on the authority to link up the same. KNBS was tasked to host the website. This would be one of the best strategies of disseminating JSS data and sharing information among the JSS agencies. **Action: all agencies**

MIN 9/9/2008: DISSEMINATION OF STATISTICS

9.1 The JSS sector committee agreed that all agencies set up a committee to deliberate on possibilities of writing a JSS magazine. The respective agencies will come up with articles to be included in the magazine before February 2009. It was agreed that the cost of publications to be taken by Statcap but the agencies should explore ways of sustaining this funding in future after the expiry of Statcap project. **Action : All agencies and Statcap.**

9.2 It was suggested that a joint public service week for the sector be planned by all agencies. This will make it possible for the sector to display all the information that is collected by JSS agencies. **Action: All agencies**

9.3 The meeting further agreed that a possibility of holding a joint programme to outline the JSS activities and co-operation be explored as one way of disseminating JSS data. **Action: all agencies**

9.4 The chairman said that the Bureau celebrates the African Statistics day every year on 18th November. The meeting resolved that JSS sector explore a possibility of displaying their data on this day. **Action: all agencies**

MIN 10/9/2008: PROFESSOR LEWIS' REPORT

10.1 The chairman gave each member present the report compiled by Professor Lewis during his two visits. He asked members to peruse the report and implement the recommendations therein to enhance their data collection activities in JSS sector. Members agreed that harmonization of data instruments should be given a priority. **Action: all agencies**

10.2 The Chairman informed the members that Professor Lewis will visit the respective agencies dealing with JSS in November 2008 and possibly in 2009.

10.3 The Chairman also informed the members that Mr Ronald from the World Bank will conduct a half day sessions with the JSS agencies in November 2008.

10.4 The members agreed to hold the next meeting before the end of October 2008. Other JSS agencies not represented in today's meeting would be invited to attend the next meeting.

10.5 There being no other business the meeting ended at 10.30 am.

**B. THE SECOND JUSTICE AND SECURITY STATISTICS COMMITTEE
MEETING HELD ON 25TH SEPTEMBER AT 9.30 IN NYAYO HOUSE CONFERENCE,
17TH FLOOR**

Members present:

Mr Buluma (Chairperson), Mr Mcharo (Prisons, Secretary), Mrs Audi (Probation and AfterCare, Vice Chairperson, Mr Richard Nyaleich (GJLOS), Mrs Jane Kabiro (Children's Department), Mr George Ombuga, KACC, Immigration Department, Ms Justina Kivinda, Electoral Commission Kenya.

Apologies (Police, Judiciary)

In attendance Prof Chris Lewis, World Bank

(minutes to be circulated, but the following was discussed.)

The meeting updated the minutes of the previous meeting:

- 7.1 A proposal for more money to review probation data instruments had been sent to Statcap but no reply had yet been received
- 7.2 The study trip to the UK is likely to be agreed by Statcap shortly and would probably take place in January 2009. Prof Lewis asked members who would be coming to send any special requests to him in advance.
- 7.3 A new laptop had now been provided to Probation.
- 7.4 Mr Ronald from the World bank had given some advice on their performance agreements
- 9.1 Prof Lewis suggested that, to save printing costs, a JSS magazine could be produced only on the KNBS website.
- 10.1 Prof Lewis asked members to contact him directly if they had any queries on the issues raised in his report, or any updating was needed
- 10.2 Prof Lewis is likely to return again in Spring 2009, perhaps in May.

ANNEX C: AGENDA OF VISITS: [November 19- 24: March 31 – April 4 2008]

KNBS

Mr Kilele (Director General),
Mr James Gatungu, Director operations
Mr Mboni (Projects manager, STATCAP),
Mr Buluma (Head, Governance Statistics Unit),
www.knbs.go.ke
Many other staff members

KNBS for followed through the reform process started with the Statistics Act 2006. The new Director General and 6 Directors have now been appointed, although there is sufficient continuity with previous senior members. The next step will be to restructure the organisation under these directors. However, the most pressing work for the next year will be the 2009 Kenya National Census, which will stretch KNBS and must take priority. KNBS management needs to consider whether the staffing of the governance area can be strengthened to ensure that good progress is made and that the Census work does not reduce the chance of governance statistics developing during 2009.

KNBS now has full authority within Kenya to plan, authorise, coordinate and supervise all statistical data collections, establish standards and promote best practices. It has a duty to maintain a comprehensive and reliable socio-economic database. The education of other agencies has proceeded and all are now aware of the new role of KNBS. However, this has caused pressures for assistance, both statistically and on IT that KNBS has not yet been staffed to satisfy.

There has been a gap in the provision of donor money, following the unrest after the December 2007 elections, but donor activity has now been resumed. The most relevant activity here is Statcap, the World Bank fund to improve statistical activity, which is managed by David Mboni in KNBS with the local World Bank office, headed by Lukas Ojambo. The creation of the JSS committee has shown all governance agencies that Statcap exists and has resulted in a series of requests for Statcap assistance. I have included such requests as came my way in section 4 of the main report. Not all requests will be possible, but KNBS should consider all requests carefully in the light of the benefit to Kenya statistics as a whole.

I attended the JSS Committee on the Monday and reported back to KNBS on the Friday. It is good to see the committee working on a routine basis, but it needs to become more focussed and agencies need to make sure they attend each meeting and come prepared to discuss the agenda items. It would also be useful if, from time to time, a Director of KNBS or similar senior officer could chair the meetings.

Governance , Justice, law and order reform programme (GJLOS)

Mr Dennis Kabaara, Strategy, Planning and Budgeting specialist
Mr Richard Nyaleich
www.gjlos.go.ke

GJLOS is a reform programme for the governance sector that started in late 2003. Its primary goal is to improve the quality of life for all Kenyans, especially the poor, marginalised and vulnerable. It has sponsored a very large number of specific projects

ranging from hardware procurement to studies of the best ways of enhancing wide-ranging reforms in the government sector. (see GJLOS (March 2007)). It cuts right across all sectors of the governance area and thus has the same constituency as GDDS.

One of its aims to create 'base-lines' and it has conducted three Baseline Surveys (Household, Administrative Data and Policies) (see www.gjlos.go.ke)

The Household Survey September 2006, was based on interviews with some 12,442 Kenyans representing all of the country's districts, selected through a strict process of random sampling. This meant that such demographic characteristics as gender, urban-rural balance, age, education levels and so largely match those of the Kenyan population itself. The results set a base line for public attitudes to various aspects of governance: Corruption: Access to Justice: Safety and Security: and Human Rights. This should be more widely read and some of its material could be incorporated into other publications: eg KBNS reports.

The Administrative Data report, May 2007, looked at what data was collected and was more a list of gaps in information available in the governance area. It drew on previous reports I had made in 2004 and 2005. (Lewis, 2004: Lewis 2005) coming to similar conclusions. However, it did not go into the need for IT as such, although GJLOS realises the need for a better IT infrastructure and has in mind to conduct an assessment of IT needs within governance. I commend this proposal and suggest that KBNS and governance agencies contribute to this assessment when it takes place.

The Policy Base line report, September 2007, is the result of a study to review and assess policies, laws and regulations, to determine and propose those necessary for the realization of the vision and agenda of the ongoing GJLOS-RP. The report describes the totality of policies, laws and regulations needed to help overcome the GJLOS challenges and realise the GJLOS vision. It also highlights broad areas that represent gaps between the universe and the baseline and makes recommendations to achieve the GJLOS vision. Each of these recommendations has an implied need for evidence on which to base changes. Several of the uses of statistics that are highlighted in my 2005 report (Lewis, 2005) are directly relevant to the achievement of these aims.

At the end of 2008, GJLOS is concerned with evaluating the effect of its policies over the last few years and setting up a good structure for the future. It has now become a permanent office for reform in the ministry. There is some feeling that it needs to be more radical in its approach to reform and a concern that donors are disappointed that more has not been achieved. If this is to be done then a sound base of good evidence and statistics on the functioning of the justice and security system and how it might function under different arrangements is essential. Thus, GJLOS reports are very relevant to Justice and security statistics development in Kenya, especially those detailing the evaluations of previous work and the plans for the future. These should be required reading for the governance statistics group that will meet under the chairmanship of the KBNS. I am glad to see that GJLOS is now represented on the JSS committee so that GJLOS is aware of developments in the collection and use of data and that the statistics committee of the thinking and priorities of GJLOS.

Police :

ACP Nooe Y Gabow (Statistics Department)
Insp Steven Okere (sokere@justice.com)
<http://www.kenyapolice.go.ke/>

The remit of the Kenya police is wide, including detecting, investigating and preventing crime, investigating crime and prosecuting the less serious offences, maintaining public order, traffic duties, etc. They collect a wide range of statistics including calls to police: incidents reported: incidents investigated: officers deployed: suspects detained: crimes cleared (by reason): persons charged: offence type reported: type of charge: offender and victim classifications: characteristics of serious incidents (firearm type, level of injury, loss of property, drug/alcohol use, etc) (GJLOS, 2007, p. 5-6) They also collected comprehensive data on specific police actions such as those following the post-election violence, on traffic incidents and other routine police activities. Their priority for their analysis is crime. They receive a report on each crime, by radio signal within hours of its being known about. They enter some basic details onto an ACCESS database and make summaries of these at the end of each day, for operational use by senior officers and for transmission to local commanders who may not be aware of the full patterns of crime within their area. Data are also sent routinely to the various local groups that look into security for operational use (eg the District Intelligence Committee) on which other law enforcement agencies sit.

They also use these statistics to counter specific types of crime, such as organised Mungiki crime against eg Matatu drivers, through extortion rackets, and this has led to improvements in the situation on the ground with fewer crimes being reported. Other examples are better understanding of stock theft, especially across borders in remoter parts of Kenya. .

The 2007 Police report on crime was produced on their web site in March 2008. Summaries are also produced for operational use in a similar timescale each month. This is excellent early timing and consistent throughout the year. Crime statistics are routinely available on the web site, and occasional news reports are also placed there: eg arrests as a result of post-election violence. As important is the attitude of senior Police Officers, from the Commissioner downwards who take a very positive attitude towards statistics and use them in their day to day operations. This reflects the growth in openness over the last 4 years.

There are some computers in local province HQs but none in police stations. All data still has to be entered at HQ from paper returns, usually by radio, because of the lack of a wide area network (WAN) to enable data to be passed electronically. There are no data collection instruments for individual crimes as such, although long practice means that good data is usually sent in text format. There are some data collection forms for monthly summaries of data of various types of crime, traffic incidents, natural disasters, etc. There is no resource available to undertake visits to check the quality of data.

Police need one or two computers in each of eight provincial offices for data collection. This would free HQ to carry out a growing amount of analytical work. Some training has been undertaken in basic computing and database management and the Police HQ have an IT group they can call upon for advice. Most data and reports are recorded on EXCEL and analysed in detail. The details of characteristics of individual serious offences are recorded on an Access Database at HQ, but if there were PCs locally, then this software could be placed on all local PCs and all crimes recorded. This would greatly enhance the ability to carry out more analysis at HQ and improve the quality of crime data available for operational and for publication.

There are some plans for a GIS system and plans to move to better accommodation where the results from the GIS could be displayed more easily.

Statistics on personnel and prosecutions are also kept but I did not see these. These systems are mainly paper-based but do supply the data on which performance measures could be calculated. No comparisons with social data are made but I will pass on to the police my translation of the Tanzanian (KiSwahili) 2007 Police social/ criminal analysis of regions within Tanzania. I am sure a similar analysis could be carried out within Kenya as the data are available and would require some input from the KNBS.

The use of statistics within the police has improved markedly since 2004, with many local and national reports being regularly made available within the force. There is also a wealth of other data on other aspects of police work, for internal operational use, and not yet published routinely.

Some of the classifications used by the police, such as offence type, are individual to them and do not necessarily correspond with those used by the prisons and probation³. Others such as gender age and geographical area are the same as other agencies.

Summary reported crime figures and staff numbers are passed to KNBS for their Economic Survey and Statistical Abstract and to send to the UN. However, police data is not routinely used by other agencies, nor do other agencies routinely send their data to the police to inform policy development.

Judiciary:

Mr Kiptorus, Senior Economist (Planning Unit)

www.judiciary.go.ke

The main function of the Judiciary is the Administration of Justice, specifically the criminal law. They have data on cases processed through the courts, all returned on paper from courts to HQ in Nairobi. In principle these include: case type, charges initiated, appeals, court appearances by type of offence, court hearings, case elapse times, case convictions, cases disposed of, cases pending, recidivism rate, offender characteristics (age, sex, etc) date of hearing and disposals (prison sentence, etc.) (GJLOS report, 2007, p.22+.) The Courts are now well provided with computers although I was not able to see them in action and the extent to which statistics are made available using them.

The Planning Unit has developed its role considerably since I first went to the judiciary in 2004 (Lewis, 2004). Their duties have been growing all the time, involving strategic planning, briefing of senior officials, training, the production of lectures, position papers, and other policy work, apart from statistics.

Judiciary statistics have not developed as had been hoped because of the lack of accommodation and resources. Only data on case loads is processed on computer, used internally for resource management and summaries passed to the KNBS. Much data is late or incomplete. Resources do not allow for any inspection visits to improve data quality. Data on case completions are received, but as yet no attempt has been made to set up an individual database of records of court outputs.

³ I do not think the Judiciary use any crime classifications as such, as they concentrate on input data for the moment

In particular details are needed on the progress of an individual's case, and the ability to produce lists of people and statistics on the sentencing of criminal cases over the most recent period, together with trends. Such data is essential input to policy and operational planning for other agencies of the system particularly the prisons who have to cope with the main output of sentenced people from the courts, and the police and probation services who have to cope with those sentenced who do not go to prison.

The Judiciary's strategic plan includes many of the statistical recommendations included in my previous reports but these have not yet been actioned. If the position of statistics is to be enhanced, then a higher priority needs to be given to them and more resources and accommodation provided.

The Planning Unit's main IT need is for software enter results of the more serious court cases to a computer system. Some of the work going on in Tanzania should provide some ideas and I will ensure that my report on Tanzania is made available to the planning department. A study visit to Tanzania might be useful.

Probation and After Care:

Mrs Gertrude Audi (Statistics Unit) (gertrudeaudi@yahoo.com): Mrs Mitey (Statistics Unit) (mityeychep@yahoo.com)

The Probation and Aftercare service manages the three programmes of Probation, Aftercare and Community Care. It also provides the courts with social inquiry reports on request.

Good progress has been made since my last visit. GJLOS had made available computers for Provincial offices and many of them were now able to send in their statistics over the internet. Others are being encouraged to send their data this way as soon as possible. Training has been provided for statistics data entry and analysis, including SPSS.

Information is collated at HQ and processed very quickly, using EXCEL. More use is being made of indicators of performance at region and lower level, and feedback given to data providers to encourage them to improve their performance. Local reports are including crime data to give background information to local probation officers.

The statistics unit has also extended its remit into collecting data via surveys on special topics.

- Survey of employee satisfaction
- Survey of experience of corruption among Probation Staff.

These are very useful additions to data sources: the statistics unit has the ability to carry out such surveys and analyses them well. This is good practice which should be reported to the JSS committee and copied by other agencies, who should be encouraged to carry out such surveys of their own staff

The Ministry IT group has looked into the need for software to be able to enter, store and analyse the data received on cards from local areas. Due to resource shortages, the money available to develop this software will not become available until January 2009. The statistics departments needs to be in regular contact with the IT team developing their software to see how they are progressing and what extra information they may need to progress the work. The IT team needs also to concern itself with the actual implementation of the work in the statistics department: especially to see whether the proper security is being followed. It seems to me that a stand alone

computer is needed to ensure that no viruses are able to corrupt either the software or the data entered to the database. I give some recommendations in section 4 of the main report.

What statistics are currently analysed are used within HQ, but this is not sufficient for the needs on the service, as was confirmed by the GJLOS report of May 2007 (GJLOS, 2007, p. 35) Data from some offices is also incomplete or late which reduces its usefulness, despite the chasing of the statistics team. Data is also shared with the KNBS but not with other CJ agencies, eg. the prisons. Once the new software is available and more data is collected then the statistics unit needs to be increased to cope with the extra potential for analysis which will become available.

Because of the small size of the statistics unit, there is a need for more IT and statistical advice to be given to them from the KNBS and this should be put on a more formal basis.

Prisons

Mr Anderson Mcharo, (Statistics and Research Department): www.prisons.go.ke

Prisons Service keeps prisoners in safe custody, and rehabilitates them through training and counselling. Its main statistics are counts of those received into prison, and their characteristics. Few statistics are available on conditions within the prison, on staffing or on counselling and its rehabilitative effect. All statistics are still collected on paper from prison establishments. The statistics unit has plans to implement the recommendations put forward in my 2005 report and has started by producing a new Software Package, Prisoner Records Management System (PRMS).

However, the piloting of PRMS has not been as fast as expected during my last visit. I visited Nairobi Remand prison to see what I expected to be a version of PRMS. However, what is actually being used is a locally produced piece of software of offenders' records that is proving very useful for local security purposes but has no report writing facility or statistics producing module. However, this local software has shown that local prisons can run such a system. However, although the PRMS team has installed the PRMS software on the prison computer, it is not yet being used. No-one seems to know why this has not started and there is a clear urgent need to reinvigorate the testing of the PRMS software which was produced at some cost earlier in 2008. The prisons, department, the JSS statistics committee and the KNBS need to ensure that discussions take place urgently to set the piloting of PRMS going again. If this is not possible at Nairobi Remand than another prison should be chosen.

One further piece of information which could be useful to the prison department is that the Tanzania prison service has similar problems and has devised a similar system to solve them. Some collaboration between Kenya and Tanzania in this sort of work might be useful. I will ensure that my report on Tanzania is made available to the prison department of Kenya.

Kenya Anti-Corruption Commission:

Mr Vincent Okongo, Principal Officer, Research and Planning

Mr Michael, Head of ICT

Mr Wanzala, Research and Planning

Mr George Ombuga, member of the JSS statistics committee

www.kacc.go.ke

The KACC was established in 2004 as part of the Kenya government's commitment to eradicate corruption, promote good governance and foster transparency in all sectors. Since it became operational, it has made every effort to strengthen its corruption prevention strategies and

programmes through research that leads to action. It firmly believes that to carry out its duties properly it needs to understand corruption fully. This means looking at its constituent parts, especially the underlying causes and effects, discerning corruption-prone areas and assessing the effectiveness of existing policies and regulations and ongoing reforms in promoting integrity.

To this end KACC has several sources of information:

1. KACC maintains a database of complaints that it receives from the public and other authorities. This includes those that are corruption-based and those that can be passed to other agencies since they are not corruption based. Some complaints are specific to an individual official: others are more general and may refer to corruption practices among groups of officials, professionals, etc. Trends in complaints have been as high as 8,000 a year of which 30% are corruption based. However, due to the setting up of another agency to deal with non-corruption based complaints against public administration⁴, calls have falling off a little in 2008. In addition a new, completely anonymous procedure for making complaints to KACC has been recently introduced, based entirely on electronic reporting. This has encouraged a number of well-informed whistleblowers to report on corruption practices within their organisation without fear of discovery. These two changes have meant that a much higher percentage of recent complaints are now corruption-based and can lead to action by other parts of KACC. Statistics are maintained on all aspects of this database. Experience has shown that the investigation process would be made more efficient if more data were collected on the complainant, where possible, as well as on the complaint and this enhancement to data collection is now being worked on.

2. KACC also conducts a series of surveys and reports on corruption: eg:

- National Enterprise survey on Corruption, June 2007. This examined the extent to which government policies and public services facilitate or impede the business environment, as well as seeking to identify government policies, regulations and procedures that have the potential to drive corruption, thus inhibiting business development.
- Public Officers Integrity Survey, 2007. This has the main objective of establishing the extent/level of corruption in the delivery of services within the public sector. Common practices identified include: Favouritism, Bribery, Embezzlement, Extortion/Fraud, and absenteeism from work while still drawing a salary.
- National Corruption Perception Survey, This is an annual survey of some 5,000 households spread across the country to assess the knowledge, level/extent, attitudes, magnitude and practices of corruption in Kenya.

3. The various investigative branches of KACC pass cases they investigate to the Attorney General's office for possible prosecution. Statistics are maintained on the number and characteristics of such cases. However, KACC does not itself conduct such prosecutions as this is the responsibility of the DPP.

KACC maintains good relations with the KBNS. However, they are proposing that this relationship be deepened:

1. At present the Corruption Perception Surveys are carried out by KNBS using the NASSEP IV sampling frame developed from the 1999 Kenya National Census. KNBS carries out the fieldwork and processes the results, using their own computers and the statistical analysis

⁴ This is called the Public Complaints Standing Committee and is likely to be the precursor to the setting up of the Office of an Ombudsman. This is not possible yet due to the need for new legislation to be passed.

package SPSS. Having in mind the heavy workload that KNBS will have during 2009 when preparing for the August 2009 National Census and wishing to keep to their planned publication date of December each year, KACC wish to discuss with KNBS whether KACC could take on the processing and analysis of this work themselves each year, starting with the KACC Corruption Perceptions Survey conducted in 2009. This would require a once and for all relatively small build up of statistical capacity within KACC. They have approached KNBS to see if this could be funded from StatCap.⁵ This proposal seems well thought out and seems a very efficient use of Statcap monet. It is likely to benefit both KACC and KNBS once the new procedures are in process, with KACC having more control over their time scales and KNBS being able to free up their social statistics and IT resources which are in short supply.

2. Because of their key role in Governance statistics KACC would also like to be included in the planning structures that exist for the Statcap programmes or would be set up for any such programmes in the future.

3. I mentioned previously that KACC publishes all its data on their web site and commended this as an example of good practice that could be followed by all other agencies on Justice and Security. KACC would also like to cross link their web site with that of KNBS, especially if the JSS team within KNBS sets up a separate website within the KNBS site. This desire to improve awareness of anti-corruption issues stems from the Medium term plan 2008-2012 of the Vision 2030 government strategic Plan for the country. It is also in line with recommendations that I have made previously.

4. KACC would like to include more of their data in the KNBS Economic survey and agreed to discuss this further. This would further enhance the Economic Survey which has improved greatly in the last few years.

The main current survey is of the public health service provision area. KACC is willing to join in the general development of justice and security statistics and to join in the KNBS committee.

KACC also has an important roll in educating the public in anti-corruption issues and publishes all its research with no censorship. They are also moving more into the proactive role of seeking out where their anti-corruption activities may best be exercised, instead of mainly being reactive to complaints that come in to them.

Director of Public Prosecutions:

Mrs Emily Kamau, assist to the Director of Public Prosecutions (DPP)

www.attorney-general.go.ke

Under the Constitution, the DPP can prosecute any criminal offence in Kenyan courts. He does through State Counsels but because of shortage of the number of prosecutors, he does not prosecute all cases. His office tends to prosecute cases such as offences of Murder, Rape, Serious Violence and Corruption, with cases such as burglary and theft being prosecuted by the police themselves. This follows the British practice of the 1960s, although since 1986, the English have introduced a Crown Prosecution Service to prosecute all criminal cases save minor traffic or administrative violations.

⁵ In broad terms the proposal submitted to Statcap would require some 15+ PCs, a licence for an analysis package such as SPSS, some statistical training for KACC staff, and some IT advice, eg from the KNBS IT director, on the configuration needed to achieve this proposal

The present state of cases being heard, pending, and their results are kept in the files in the DPPs Office. There are a particularly large number of corruption cases going through the courts at present. The DPP's Office has a sufficient number of new PCs to keep records and is fully aware of the importance of statistics, but few have been kept in the past.

The DPP has sent some basic statistics on homicides and corruption cases to the KNBS for inclusion in the Economic Survey, but more discussion is needed to see what else could be provided and whether any statistical assistance is needed in the way of designing data collection forms or training on data entry.

National Crime Research Centre

Mrs Emily Kamau

Mrs Ogoma, Acting Deputy Director, National Crime Research Centre (ncrkenya@gmail.com)

This centre was announced by the AG in July 2007 and has just appointed its first staff members. I was not able to meet the centre during my visit but I have opened e-mail communication with them since my visit and sent Mrs Ogoma copies of my earlier reports on Kenya statistics. Their remit is to:

- a. carry out co-ordinated research into, and evaluate the impact of, programmes pursued by the agencies responsible for the administration of criminal justice
- b. collate all crime related data
- c. carry out research into any criminal activity and in particular: crime causation and prevention, group or culture related activities, socio-political and economic causes of criminal behaviour including drug trafficking, peddling or addiction, the *modus operandi* of persons engaged in any criminal activity, and juvenile delinquency.
- d. carry out research into deviations from the criminal justice system with a view to increasing the awareness and responsibility of the community in the rehabilitation of criminal offenders
- e. carry out research into the efficacy and adequacy of criminal investigation and prosecution agencies, the penal system and treatment of offenders
- f. disseminate research findings through publication, workshops seminars, the mass media and other appropriate means of dissemination.
- g. communicate research findings and recommendations to the agencies of Government concerned with the administration of criminal justice, with a view to assisting them in their policy formulation and planning
- h. liaise with any other research bodies within or without Kenya engaged in the pursuit of similar or related research.

This remit is similar to that of the Research Department of the British Home Office of which I was a director for many years. When properly staffed, the NCRC would be an important new agency in criminal justice reform. The remit of the NCRC involves use of research and statistics and so NCRC will need to be involved in the improvements to J&S statistics now being undertaken through the JSS statistics committee in KNBS.

Ministry of Gender, Children and Social Development: Children's Department

Mr Ahmed Hussein, Director Mr Noah M O Sanganyi, Senior Assistant Director, sangany@gender.go.ke Mrs Jane Kibora kwelewana@yahoo.com
<http://www.gender.go.ke/>

The Department draws its mandate from the Children Act. (Cap 586 laws of Kenya.) The act makes provision for parental responsibility, fostering, adoption, custody, maintenance, guardianship, care and protection of children and in the administration of children's institutions. It gives effect to the principles of the UN Convention of the Rights of the Child and the African Charter on the Rights and Welfare of the Child and for connected purposes. It facilitates the provision of children's welfare services through conducting social inquiries, generating and preparing court reports, counselling and enforcing orders made by courts of law. It also facilitates the rehabilitation and reintegration of child offenders into the community. Mrs Kibora attends and plays an important role in the KBNS Justice and Security Statistics Committee.

The Children's Department has three computerized systems for the purpose of establishing a national standard for data collection on children and improve the planning of children's services and to strengthen partnership with civil society organizations. The computerized data systems are: the Orphans and Vulnerable Children database: the Internally Displaced Children database: The National Children's Database Programme

These databases collate information on over 63,454 from field offices, 46,253 disposal children cases and 65,000 households in order to allocate grants to those who need them under current arrangements (CT) cash transfer programme.

Statistics are derived from Provinces, Districts and Statutory institution managers. There are plans for a National monitoring and evaluation system on Children to be developed in response to a requirement from the United Nations Convention on the Rights of Children (UNCRC) 44th Session: Kenya: 1998-2004.

The general statistical needs for the Children's department are very clearly set out in the GJLOS report on Administrative data on which I commented in my previous report. The department maintains a database called the National Children's Database, which includes records on some 64,000 children. The purposes of this database are to be able to give a full picture of how the Children act 2001 is working in Kenya: to establish a national standard for data collection on children for all partners in Kenya dealing with children's issues: to improve the planning of children's services: to strengthen partnership with civil society. And to monitor new problems with which children are faced: eg. internal and external trafficking of children for illegal purposes, such as labour or the sex trade

Because the database has been in existence since 2002 it now needs to incorporate new categories of children and better serve the needs of the department. The department have clear ideas about the best way forward and are looking for assistance in this. They will be producing urgently a proposal for assistance which they will put to the Kenya National Bureau of Statistics. This assistance would probably require a consultant to advise on the updating that was needed to their current database to incorporate the new categories as well as ensuring that the new database was flexible enough to incorporate new problems associated with children that are likely to arise in the future.

I was asked whether I knew of any country that maintains a similar database dealing with all aspects of children but I do not know of any such country. The position of Kenya is very different from developed countries that maintain such databases: with its high incidence of AIDS leading to an increase in numbers of orphans: its high level of agricultural occupation in which children can play a large part: and its unequivocal placement of the responsibility for all children with a single department.

At present statistics in the Children's Department are reactive in that they are collected from partners who report on the numbers of children coming into contact with them. However, there is also a need for independent measures of the likely number of children who could be in need of services. The CD has approached KNBS to fill this statistical gap and KBNS agreed to include a new question on orphans in the August 2009 census which has just been piloted.

Electoral Commission of Kenya

Mr Aytub Imbira, IT Manager, Electoral Commission of Kenya, imbira@eck.or.ke
Ms Justina, Mr Papa: www.eck.go.ke

ECK has a good voter registration system and publishes a good detail of its results. Statistics are an administrative by-product from the voters registers which takes place in local areas. Procedures ensure security of data, avoiding double voting and dealing with voter transfers and deaths. Openness is maintained at all time for the voter registration databases construction and publication. For completeness, more data could be included in KBNS annual reports. Due to resource problems and linking with other databases, there are some problems with data quality: eg not all deaths get removed from the database.

Immigration Department

Mr Wilfred W Wamela, Chief Immigration Officer: <http://www.immigration.go.ke/>. The department is run on the British system. All entrants and exits to Kenya through main airports complete a form. Paper-based records are also maintained at most land border posts. This data is collated by the KBNS to produce summary tables.

The Immigration Department mainly uses the database for answering queries from other agencies about entries and exits. They did not request any assistance in developing their figures, being content to rely on those from KBNS. However, they have asked KNBS to provide more data to them from their national census in 2009, particular on data which could inform them of any Kenyans living abroad, on short-term or longer-term basis. Projections are made of future numbers of tourists, mainly to calculate their spending and provide tourist services such as hotels. Immigration department sends a representative to the JSS committee.

ANNEX D PROPOSAL FOR STUDY TOUR TO UK UNDER STATCAP PROJECT BY KBNS, POLICE, PROBATION, PRISONS AND JUDICIARY (JANUARY 2009)

The Kenya National Bureau of Statistics (KNBS) is established by the Statistics Act 2006 to collect, collate, publish and disseminate data to all stakeholders on behalf of the Government and coordinate all the National Statistical System in the country. To respond to this enormous challenge the Bureau collects data from households, establishments, administrative records and line ministries. It collects and produces information on almost all sectors of the economy.

Arising from increased demand for data and responding to various challenges such as outdated Statistical Act, liberalization of various sectors of the economy, expanding horizons of statistics to include areas such as Governance, disability, gender, etc., KNBS has embarked on a restructuring effort to make it respond to the above challenges.

The desire to tackle the challenges coupled with desire by the Government to use data for evidence-based decision making has made CBS to not only transform its operation but also to expand data collection and compilation spheres. In the “Economic Recovery Strategy for employment and Wealth Creation” (ERS) the role of data use in implementing the activities is clearly emphasized. In addition, issues of Governance, Security and the Rule of Law are strongly emphasized in the ERS to build strong institutions that would strengthen governance issues and rule of law.

It is, therefore, important that KNBS strengthens collection and analysis of Governance data to enable effective monitoring of polices and programmes which have been put in place to address governance issues. Besides, KNBS has been transformed into a National Statistical System as a Coordinating Agency to assist other data producers and users to achieve international standards in many areas of data collection. To assist in the transformation, the STATCAP project under the World Bank, DFID and other development partners have provided support to enable KNBS improve data quality and increase coverage on data collected.

The area of Governance Statistics is still new to the officers both at KNBS and in the line ministries/departments (Police, Public Prosecution, Prisons, Probation, Judiciary, Anti-corruption authority) hence the need to organize a study tour to enable the officers learn best practices and challenges associated with collection and compilation of Governance statistics.

RATIONALE FOR STUDY TOUR

Officers handling data require timely and reliable information and technology on manipulation of data and data management. Some of the major hindrances to data manipulation are lack of exposure to the modern methods of data capture, storage, compilation, analysis, report writing and dissemination. The proposed study tour is geared towards fulfilling this gap and is intended to involve wider representations of senior government officers who supervise these activities in the CBS and the relevant line ministries/departments. The study tour would be geared towards improvement in data collection instruments in addition to data capture and analysis to enhance the quality of the information collected. This proposal, therefore, lays ground for enhancement of data collection in the line ministries/departments as outlined in the STATCAP project documents.

OBJECTIVES OF STUDY VISIT

- (a) To learn about what various governance organs in your country are doing in relation to what and how data is collected, compiled and analyzed. This would enable the

similar organs in Kenya to compare and improve their data collection and management operations.

- (b) To compile the best practices, from your country, that can be applied in Kenya to enhance data collection, compilation, management, analysis, report writing and dissemination.
- (c) To use the knowledge acquired from the studied countries to improve on data collection, compilation, management, analysis, report writing and dissemination.
- (d) To explore how governance data is used by policy makers to improve security, fight corruption and rehabilitate communities, etc.

EXPECTED OUTPUTS

- (a) Officers handling data collection would be better equipped to collect, compile, and analyse governance data in their various departments.
- (b) Officers would be able to improve on quality of data produced by their line Ministries/Departments by incorporating best practices learnt from their studies.
- (c) Compile a report to be presented to the Director of Statistics

ROLE OF JUSTICE & SECURITY AGENCIES TO BE VISITED

The organizations will play a major role as host of the Kenyan delegation. It will take the delegates through the envisaged activities as per the programme. The agencies are expected to attach an officer, who is conversant with governance issues, to take the Kenyan delegation through the activities including taking them to the various arms of government handling governance issues. The organizations will also coordinate the visits by the delegation to other government departments handling governance issues by formally requesting them to host the delegates on the days specified

Annex E SUMMARY OF STATISTICAL DOMAINS AND DATA QUALITY ASPECTS (KENYA, DEC 2008)

The expert's judgement on the current position of Kenya J & S statistics is set out below in terms of the World Bank/IMF Structure for Justice and Security Statistics.

	Statistical Domains					
Data Quality Aspects	Household surveys	Police	Prosecution (DPP, Police)	Judiciary	Probation Aftercare	Prison
Institutional arrangements, Policy, Management	KNBS needs to carry out its planned household survey and integrate results into those available from agencies	All agencies now meet regularly in the committee to discuss J&S statistics. KNBS should also have occasional meetings with Heads of Agencies to obtain their continuing agreement to the importance of statistics. New agencies should be brought on board. The national crime Research Centre should be supported by all agencies. Statistics from all agencies should continue to be drawn together by the KNBS. All agencies should agree common classification systems and dissemination policies. Study visits should be made to other countries: eg YK and Tanzania. Data quality of statistics generally needs to be examined and mechanisms set up to improve this. Data collection instruments need to be reviewed				
ICT systems and needs	These seem adequate, although resources could be increased.	IT needed in stations. More systems needed in HQ	IT needed for basic statistics	Good IT systems in courts but good IT needed for output statistics in High Court/HQ/	IT now in provincial HQs. And much data collected on line. New software needed for HQ offenders database	PRMS systems needs to be effectively piloted
Statistical classifications used	Crime data from household surveys should be as compatible as possible with that from agencies	Different systems are needed and all agencies should classify their systems in a similar way, which is compatible with external systems such as the UN who request data from time to time.				
Surveys, including analysis of administrative records	Good questionnaire already produced and available on the web site	Only overall crime data so far analysed. Work needs to be expanded	I have not seen any data on prosecution	No output data is yet produced. Workload data is reasonable but needs to have more detail. No analysis of delays produced.	Good use of data but offenders database would enhance data capture and analysis	Basic counts only produced.
Integration frameworks		Good development in the last 12 months. The J&S committee should become more focused. The NCRC should be encouraged to carry out analyses across the whole CJS and pull together policy analysis.				
Dissemination of Statistics	Some data produced in annual report. More could be done	Data produced for police management or sent to KNBS. More could be published	No data seen. Prosecution data should be published	Only some workload data sent to KNBS and senior management but more could be produced and published	Some data sent to KNBS and to PAC managers. More could be done if resources available	Some data sent to KNBS and senior managers but little used locally.
Use of Statistics for Policy and operations.		There is a large potential for greater use of statistics in policy and operations. Good ideas have been set down in a) the (GJLOS report b) the various GDDS reports by Lewis c) the TOR for the NCRC. Mostly however, at present, Kenya policy and operations are not well informed by good evidence and statistics and this is leading to wasteful use of resources and delays to the modernisation of CJ agencies.				