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**AGE AND GENDER INFLUENCE ON INMATE PERCEPTION OF PRISON REFORMS: A CASE OF ELDORET GK PRISON IN RIFT VALLEY PROVINCE OF KENYA**

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**ABSTRACT:** *In the 18th century, prisons were, in the words of Henry Fielding, “sewers of idleness”. Prisons were farmed out to private persons whose object was simply to make a profit. Women were thrown in the same common ward as men; first offenders with hardened recidivists; inoffensive civil debtors with muggers... ten year old boys with homosexual rapists (Hughes, 1987). The need for a gender-sensitive approach to female prisoners has been underlined by penal reform experts in countries worldwide. For example, a national survey conducted in the United States during 1993 and 1994 pointed to the need of a different style of management for women prisoners (Morash et al., 2006). To this end, it is worth establishing whether in one way or another, aspects of inmates’ age and gender have any influence on how they perceive prison reforms. This study is therefore set to investigate the influence of inmates’ age and gender on their perception of prison reforms. The study was undertaken in Eldoret GK Prison in Uasin Gishu County of Kenya. Survey and causal comparative designs were adopted in this study as quantitative research methods. Stratified and simple random sampling techniques were used to select 310 participants for the study. Data was collected by use of biographical form and questionnaires and analyzed by both descriptive and inferential statistics by use of SPSS. The study found that the female inmates had a more positive perception of prison reforms than the male inmates. However, the age of inmates had no significant relationship with their perception of prison reforms. Finally, the study recommends that urgent measures be taken to help reduce the reported congestion in the male prisons. This will help improve the overall perception of the male inmates on the prison reforms.*

**KEYWORDS:** Age, Gender, Influence, Inmates, Perception, Prison Reforms

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## **INTRODUCTION**

In the African social set up, offences were dealt with depending on the nature of crime committed. The council of elders was authorized to hear all complaints on commission and omission, and then arbitrate. Criminals were punished within the limit of the community which took full responsibility. It was in this context that the victim was dealt with within the framework of the society. In essence they prevented recidivism and accommodated the reformed offenders unconditionally (Mbiti, 1969). Kenya inherited the penal system from the British colonial government at its independence in 1964 (Njuguna, Siele & Muriithi, 2007). The penal code and Kenya's constitution contained fairly liberal laws concerning prisons and prisoners. In addition, the country has ratified a number of international instruments protecting the rights of prisoners and detainees. The African Charter on Human and People's Rights Commission was formed and thus domesticated in 1989. Prison reforms in Kenya were enacted as part of the promise made by the National Rainbow Coalition (NARC) government which was elected into office in December 2002- to carry out penal reform aimed at turning prisons into rehabilitation rather than punishment

centres. The human rights organization which had been agitating for better prison conditions, welcomed the government move to reform the prisons where conditions were described as inhuman.

According to Coyle (2002), in order to ensure effective reformation of inmates, the Kenya penal code and the constitution should contain fairly liberal laws concerning the treatment of offenders. Kenya has ratified a number of international agreements protecting the rights of prisoners and detainees. For instance, the African Charter on Human and People's rights and the Universal Declaration on Human Rights which state that all prisoners shall be treated with respect due to inherent dignity and value as human beings. On the contrary, the Kenya Human Rights Commission (2000), reported that treatment of offenders in Kenyan prisons reflects violation of human rights, a factor indicated by the large gap between legal provisions and actual prison conditions that are dehumanizing and life threatening. These conditions impact, negatively on the lives of inmates.

Amnesty International report (2000) described Kenyan Prisons as death chambers, overcrowded and unhygienic. The Kenyan Human Rights Commission (2004) reported that cases of suicide, mental illness, riots, and death as a result of torture by prison officers, the majority from infectious diseases, escapes and recidivism within the Kenyan prisons were on the increase. The report quoted killing of six prisoners from King'ong'o prison of Nyeri, Central Province in 2000, while attempting to escape, riots at Nyahururu prison, high rate of deaths at Kodiaga prison in the year 2000, and increasing number of psychologically disturbed cases among the convicted and remand prisoners.

The Kenya Legal Resource Foundation (2004) reported the trends of relapse of crime among released prisoners. The report gave statistic records indicating that between 2000 and 2003, out of 1.3 million-convicted prisoners, 986,350 were repeat offenders, representing 75% rate of recidivism or relapse in crime. In July 2004, out of 240,000 inmates, 132,380 were repeat offenders, representing 55% cases of recidivists. Western province prisons annual report of 2003 reported the release of 744 inmates on presidential pardon on 12th December, 2003 (Jamhuri Day). However, 700 out of the 744 relapsed back to crime and were brought back to prison (Kenya Prison Research and Statistics Report, 2003).

Kenyan prisons have felt the impact of incarceration that has caused a lot of overcrowding, bad conditions within prisons and poor security. Despite imprisonment and confinement, acts of recidivism have been on the increase. This has necessitated various reforms aimed at rehabilitating offenders. "Prison effect" - the psychological impact of prison conditions themselves - once again have become the topic of serious study and debate (Henry, 2006; Irwivg, 2005; Liebling & Marina, 2005; Petersila, 2003) as cited in Harney (2006). Perhaps in response, the mindless clamouring for more prisons and harsher punishment will finally diminish.

## **MATERIALS AND METHODS**

The study was carried out at Eldoret GK prison. The prison was ideal for the study because it hosts both male and female inmates' thus views from both sexes were gathered. The study employed a

quantitative research method where survey and causal comparative (*Ex post facto*) design methods were used. The research population for this study comprised all inmates at the Eldoret G.K Prison. The population comprised of 1,509 inmates of which 1,327 were male and 182 female. Of this number, the potential participants were stratified according to gender and whether they were in prison before and after prison reforms were initiated. Simple random sampling was done from each stratum according to their proportion in the population. A sample of 250 inmates was selected 220 being males and 30 females. The research instruments used were a biographical form and a questionnaire. In this study, both descriptive (means and standard deviation) and inferential statistics (t-test and Pearson product moment correlation) were used in data analyses.

## RESULTS AND DISCUSSION

This study was based on two null hypotheses:

H01: There is no significant difference between male and female inmates' perception of prison reforms.

H02: There is no significant relationship between inmates' age and their perception of prison reforms.

To answer the objective on whether age influenced inmate perception of prison reforms, Questionnaires and Pearson's Product Moment Correlation were used to determine the magnitude and direction of relationship between inmates' age and their perception of prison reforms. The results are summarized in Table 1 below.

**Table 1: Relationship between the Inmates' Age and their Perception of Prison Reforms**

		Age inmate	of Perception of Prison Reforms
<b>Age of Inmates</b>	Pearson correlation	1	.013
	Sig (2-tailed)		.832
	N	250	250
<b>Perception of Prison Reforms</b>	Pearson correlation	.013	1
	Sig (2-tailed)	.832	
	N	250	250

The results of the study showed that there was a non-significant relationship between the inmates' age and their perception of prison reforms,  $r(250) = .013, p > .05$ . It was therefore concluded that there was no significant relationship between the inmates' age and their perception of prison reforms. From the findings in table 1, it can be posited that age therefore does not influence the way the inmates perceive prison reforms. This trend is attributed to the fact that all prisoners have equal needs that do not require preferential treatment. This result is in contrast with the findings reported by Aday (2003). According to Aday, older inmates have special health care needs that are distinct from other age categories. The writer contends that older inmates require therapeutic services, nutritional meals containing calcium and fresh vegetables. When these preferential services and meals are provided for in the reforms, then the ageing inmates will perceive the prison

reforms more positively than younger inmates, hence the direct correlation between age of inmates and perception of prison reforms.

Thus, it is emanating from the study that the prison reforms do not take into account the marginalized groups like the elderly. In addition, the sentencing system does not incorporate reforms for treatment of elderly persons.

Male and female inmates were asked to respond to the items in the questionnaire measuring gender based perception of prison reforms. The results are as presented in table 2 below.

**Table 2: Gender and Inmates' Perception of Prison Reforms**

Gender	Perception		
	N	Mean	SD
Male	220	52.7	18.3
Female	30	70.1	11.7

## CONCLUSION

The results of the study indicate that the gender of inmates influence the perception of prison reforms. The study has established that the female inmates had a more favourable perception of prison reforms as compared to their male counterparts. This trend could be attributed to the low number of female inmates in the Eldoret GK prison, and the preferential treatment given to minority groups such women, the ageing and the disabled. All these factors in combination or independently contribute to the female inmates'. The paper also concludes a no significant relationship between age of inmates and how they perceive prison reforms.

## RECOMMENDATION

The study established that there are a total of 1,509 inmates 1327 of whom were males and 182 females in Eldoret G .K. Prison. Considering the capacity of this facility, this number is overwhelming leading to congestion in the cells. This reduces the staff prisoner ratio thus preventing monitoring and supervision, contributing to unsafe working environment for warders. The author thus recommends that Prison overcrowding be addressed on a sustainable basis. The study recommended that there is need for concerted efforts to cater for the special needs of the elderly prisoners in terms of nutrition and therapeutic services.

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