

Multi-Factorial Risks Factors And Recidivism Of Sexual Offenders: The Case Of Correctional Institutions In Nairobi County, Kenya

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Abstract: Recidivism of sexual offenders is a preventable social problem that presents considerable challenges. Current correctional rehabilitation programmes to deter it overemphasize offender static and dynamic factors as a panacea yet ineffective. It has been postulated that focus on broader risk factors would be more effective. To test the hypothesis that multi-factorial risk factors are effective deterrent of recidivism of sexual offenders, this mixed method study was designed to embrace both descriptive cross-sectional survey and correctional design within a pragmatic paradigm on a sample size of 384 respondents. The population comprised convicted sexual offenders serving custodial and non-custodial sentences, as well as practitioners and stakeholders within correctional institutions in Nairobi County, Kenya. Quantitative data was collected through self report and administered questionnaire while qualitative data was collected using an interview guide to support in-depth interviews as well as conduct a focus group discussion. Results reveal that recidivism of sexual offenders was persistent at 59.5% most of whom (53.2%) were male adults. Multi-factorial risk factors had a statistically significant influence on recidivism of sexual, Multi-factorial risk factors had a statistically significant influence on recidivism of sexual offenders. Offenders particularly practitioners skill of effective use of authority; prison environment and access to victim. This implies that recidivism of sexual offenders' results from complex interplay of professional, social and biological factors. Thus focus should be on comprehensive risk factors that engage practitioners' skills, social capital, offender characteristics as well as offence characteristics to foster conditions that curb reoffending. The possibility of contributing to change the way we plan, design and implement correctional rehabilitation programmes to address recidivism of sexual offenders is a very exciting proposition. Further research is recommended to identify why the identified factors influence recidivism of sexual offenders and optimal ways to curb it.

Keywords: Recidivism of sexual offenders, risk factors, correctional rehabilitation programmes.

I. INTRODUCTION

Managing risk factors that reduce recidivism of sexual offenders is recognized as the hallmark of correctional rehabilitation programs (Willis & Ward, 2011). However the current correctional rehabilitation programme environment is

characterized by risk factors that are predominantly centered on offender static and dynamic risk factors while relegating other possible broader factors. Recidivism of sexual offenders is a preventable social problem with profound ripple effects on victims, communities and increased costs of incarceration (Maguire, Grubin, Losel & Raynor, 2010; Raynor, Ugwudike,

& Vanstone, 2010; Sample, 2010; Yates, 2013). This necessitates consideration of risk factors associated with it.

Risk factors are conditions that arise when uncertainties emerge with the potential of adversely affecting one or more programme objectives and subsequent outcome (PMI, 2013). They are the events, experience or characteristics that influence recidivism of offenders (Trotter, 2006). For sexual offender rehabilitation programme risks can arise from outcomes, mechanisms and the context in which the programme is implemented and may further be aggravated by perceptions (Meceli, 2009; Veldhuis, 2012). This implies that risk factors may be quantified as qualitative, quantitative or imaginary in a bid to adequately address their influence on outcome of sexual offender programme. Thus given the complexity of sexual offending and the uncertainty of risk factors related to it, the variables to measure it in this study was broadened to transcend offender characteristics predominately to include practitioners' skills, social capital, offender characteristics and offence characteristics.

Practitioners skills are the communication and helping skills required for implementing the cognitive, behavioral and social learning models of intervention that have been shown to reduce recidivism (Derring, 2010). They are designed to reflect the most effective and empirically validated intervention strategies for evoking positive behavioral change in sexual offenders. Similarly given the emotive nature of sexual offending and stigma associated with it, the offenders may not always enjoy the benefits of such social capital (Hipp, Petersilia & Turner, 2010). This includes contextual conditions that influence the recidivism of sexual offenders and included the reintegration and aftercare support accorded to the sexual offender and as well as the societal attitude towards them. Local communities through informal social control and stigma may limit or hinder offender's access to employment, housing and meaningful relations (Burchfield & Mingus 2008; Burgon, *et al* 2010). Thus social networks have guide the bonds, bridges and linkages established for common good often characterized by informal family and community structures (Ragusa, Salerno & Zgoba, 2012).

Similarly offender characteristics are attributes that may influence or explain their recidivism. The characteristics of sexual offenders differ based on behavior, history, background, motivation and are often grouped according to sexual act committed or relation to the victim (Dempster & Hart, 2002; Hanson & Morton-Bourgon, 2005; Spiranovic, 2007). On the other hand, offence characteristics are diversity attributes that may influence or explain sexual recidivism. The offence characteristics vary depending on the sexual offender's interest and sexual preference (Hanson, 2009). The diversity of offence characteristics are informed by cultural, social bias, conditioning and relation to the victim (Dempster & Hart, 2002; Spiranovic, 2007).

Studies further suggest that offenders with deviant sexual interests such as children and forced sexual activity display a higher probability of recidivism (Dempster & Hart, 2002). The sexual offender's relation to victim may thus contribute to deviant sexual interests and recidivism (Hawes, Boccaccini, & Murrie, 2013). However studies on offence characteristics tend to examine them in isolation thus giving varied outcomes (Lalumitre & Quinsey, 1996; Spiranovic, 2007).

Hence given the paucity of research on distinctions in recidivism of sexual offenders in Kenya, this integrated approach is persuasive given its consistency with other studies that have demonstrated that recidivism is not a personal failure on the offender but rather a combined societal failure (Paulson, 2013; Suchkova, 2011; Taxman & Schwald, 2010). In addition the implementation of the Sexual Offences Act of 2006 with harsh prison terms has been unsuccessful in reducing recidivism which has remarkably risen from 12% in 2003 to 25% in 2008 and 40% in 2012 (Kimiti, 2012; Musau *et al*, 2014).

Recidivism of sexual offenders was thus considered a function of four possible risk factors; practitioners' skills, social capital, offender characteristics and offence characteristics.

II. METHODOLOGY

The permission to carry out the study was obtained from the University of Nairobi and the National Commission for Science Technology and Innovation. The target population for this study consisted of convicted sexual offenders serving both custodial and non-custodial sentences as well as practitioners across correctional institutions in Nairobi County, Kenya. Also included were opinion leaders who sit in case committees that periodically review management of the sexual offenders. Using stratified sampling, and purposive 384 respondents were drawn to inform the mixed method approach and data collected using a purpose designed socio-demographic and general questionnaire, interview guide for focus group discussion.

III. FINDINGS AND DISCUSSION

Of the 205 sexual offenders interviewed, 96% were male and 4% were female while among the practitioners' interviewed 64.5% were male and 35.5% were female. Considering that in Kenya youths are up to 35 years, there were a total of 46.8% youthful sexual offenders and 53.2% adult sexual offenders. Along with this, 56% of the sexual offenders were married and living together with their partner at the time of offence. These results imply that sexual offending is more of deviant sexual preferences other than the sexual offender's marital status and is consistent with previous results (Hawes *et al*, 2013; Robertson, 2010; Sample, 2010; Willis & Ward, 2011)

The three most prevalent sexual offences were defilement (67.7%). Besides the sexual offence that landed them in prison they also mentioned that homosexuality is a common sexual offence among convicted offenders. The findings indicate that the major sexual offence is defilement and confirms that recidivism of sexual offenders is equally high and persistent particularly in penal institutions.

Further 47.3% of the sexual offenders were serving life sentence, 7.9% were serving above 25 years, 22.7% were serving between 16 years and 25 years, 19.2% were serving between 5 years and 15 years and 3% were serving below 5 years. The findings indicate that most sexual offenders are

servicing long sentences with majority of the offenders serving life sentences yet continued to engage in institutional sexual misconduct. This suggests need to employ other deterrent strategies and practitioners' skills to address recidivism.

Consistent with recent research decrying persistent recidivism of sexual offenders, (Kimiti, 2012; Musau et al, 2014; Ruto, 2009; Mutsoo, 2012), findings indicate rising rate of recidivism of sexual offenders at 559.5%.

These findings confirm earlier literature that sexual offenders who abuse children are more likely to repeat a similar or same offence (Drew, 2013; Hansen, 2010; Moster, 2013). In exploring what to attribute these trends, the Key Informants (KIs) and the multi-disciplinary Focus Group Discussion (FGD) cited influences such as lack of specific tailor-made rehabilitation programs for sexual offenders; inadequate offenders' classification and supervision; inadequate practitioners' skills and public stigma. Other risk factors encouraging recidivism are poor upbringing; lack of follow ups upon prison; long period of sentences offender needs not addressed; drug abuse and socio-cultural factors. Lalumit, &. Quinsey, (1996), Willis & Ward (2011), Wikoff, Linhorst and Morani (2012) and Yates (2013) support this arguing that long periods of incarceration often without effective skills that deal with deviant thinking patterns fail to reduce recidivism.

Composite index for each of the factors was computed and used in testing the hypothesis as presented in table 1.

COEFFICIENTS

Model	Unstandardized Coefficients		Standardized Coefficients	t	Sig.	95.0% Confidence Interval for B	
	B	Std. Error				Lower Bound	Upper Bound
(Constant)	.022	.028		.799	.425	-.033	.077
Practitioners' skills	.248	.068	.277	3.634	.000	.114	.383
Social capital	.098	.071	.089	1.381	.169	-.042	.238
Offence characteristics	-.442	.314	-.088	-	.161	-1.062	-.177
Joint effect of risk factors	.172	.055	.238	3.149	.002	.064	.279

$R=0.484$; $R^2=0.234$; $F(15.196)$; $P\text{ Value}=0.000<0.05$

a. *Dependent Variable: Recidivism of sexual offenders*

b. *Predictors: (Constant), Joint effect of risk factors, Offence characteristics, Social capital, Practitioners' skills*

Table 1: Regression Table

The results indicated that the $r=0.484$. This showed that composite risk factors had a moderate strong influence on recidivism of sexual offenders. The $r^2=0.234$ implied that composite risk factors predicts 23.4 % of recidivism of sexual offenders. A test of significance at 0.05 indicated that practitioners skills was ($p=0.009$); social capital was ($p=0.169$); offence characteristics was ($p=0.161$) and were all statistically significant. The β coefficient of practitioners' skills was 0.277, that of social capital was 0.089 and offence characteristics was -0.088. These results indicate that offence characteristics had no statistically significant influence on the recidivism of sexual offenders ($\beta=-0.088$, $t=-1.407$, $p=0.161 >0.05$). Comparing the p values, it can be noted that the p values for practitioners skills ($p=0.000$) is most statistically significant. Overall, composite risk factors ($p=0.000<0.05$) had a statistical significant relationship with recidivism of sexual offenders. The implication is that more focus in equipping practitioners with prerequisite skills accompanied

with relevant social capital could reduce recidivism of sexual offenders.

IV. CONCLUSION AND RECOMMENDATIONS

Comprehensive risk factors play an important role in reducing recidivism of sexual offenders in correctional institutions in Nairobi County. Of the risk factors, practitioner's skills had a comparative higher influence over social capital, offence characteristics and offender characteristics respectively. Practitioners can affect the desired behaviour change of sexual offenders if they are equipped with the prerequisite skills. A further collaborative effort between all stakeholders is important to address recidivism of sexual offenders. The study has revealed and highlighted statistically significant relationship between risk factors particularly practitioners' skills. The upshot of this is the possibility that if correctional institutions equipped practitioners with prerequisite skills recidivism of sexual offenders could be reduced. Findings also indicate that child defilement was most prevalent with the mostly male perpetrators though serving long and life sentences still persisted in offending. The results suggest that recidivism of sexual offenders is not only dependent practitioners' skills but also on effective practice and collaboration with other stakeholders for awareness creation, prevention and rehabilitation. The study conclusively recommends that in addition to equipping practitioners with requisite skills, monitoring practice, participatory planning, design and implementation of sexual offender programmes that engages all stakeholders.

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