

Evaluation overview: Gender-sensitive approach to probation in Kenya

The evaluation assesses a pioneering, multifaceted project that focuses on the experiences of women completing non-custodial sentences in Kenya – specifically community service and probation orders – and the investigation of how to best adopt a gender-sensitive approach. The project was devised and implemented as a partnership between Penal Reform International (PRI) and the Kenya Probation and Aftercare Service (KPAS), and funded by the Thailand Institute of Justice (TIJ), leading advocates for the promotion of rights and treatment of women within justice systems.

The overall objective of the project was to research, develop and pilot gender-sensitive community service and probation orders, based on evidence and consultation with women offenders and sensitive to their background and needs. Additional objectives included contributing to Sustainable Development Goals 5 (achieve gender equality and empower all women and girls) and 16 (access to justice for all). Finally, a key aim was to develop a project model that is replicable across international contexts.

To achieve these objectives, the project encompassed several activities and phases. These included a [research report](#), which investigated the experiences and recommendations of women offenders who have served community service and probation orders. A [short film](#) showcasing the report's main findings was also produced. A [briefing document](#) highlighted key lessons and recommendations of relevance beyond Kenya. Based on the research findings, the structure and guidelines for social enquiries and pre-sentence reports were amended to incorporate a gender-sensitive approach. This was followed by training and sensitisation of probation officers and a preliminary testing period in pilot regions (Kisumu and Nakuru). The concluding phase of the project includes the finalisation of the pre-sentence report structure and accompanying guidelines, as well as a training module which will be used in the initial training of new probation officers. Following finalisation of the project, its findings will be disseminated among relevant stakeholders in Kenya, as well as internationally.

The evaluation of the project aimed to do the following:

- Provide feedback from key stakeholders on the relevance, effectiveness and sustainability of the materials created – including the research report, briefing document and short film – and the amended structure and guidelines for social enquiries and pre-sentence reports.
- Identify recommendations for applying learning to both the KPAS system, other regions within Kenya, and other countries.

The evaluator conducted interviews with field-based probation teams in Kisumu and Nakuru, the two pilot regions in Kenya where the amended tools were implemented. Interviews and focus groups were held to collect qualitative data from other key stakeholders, including representatives from PRI, the TIJ, the KPAS, the United Nations Office on Drugs and Crime, the Swedish Prison and Probation Service (who also implemented a project with KPAS), Kenya-based researchers who worked on the initial research report, and the judiciary (a judge

and several magistrates). The evaluation also included a comparison of the structure and content of pre-sentencing reports completed both before and after the training, and statistics from PRI's website on views and downloads of relevant resources.

Key findings

The research report was extremely well-received by international experts, who identified the report as an innovative and internationally relevant piece of research of an area with little previous examination. While the context of the research does focus on Kenya, technical experts stated that the close adherence of the report's structure to international standards and guidance means that the findings are valuable to a global audience.

Probation officers were very positive about the new approach to interviewing and tools. They explained that it was a change in mindset, rather than any particular tool, that was the greatest outcome. They indicated that their reporting is now more exhaustive as a result of the training, and they ask questions that they had previously not thought were relevant to ask. They pointed out clear examples of how their change in behaviour (due to the training) had supported women, and in some cases suggested that it had sparked an increase in non-custodial sentences. Other examples were given where probation officers had completed improved and detailed reports, but magistrates had not taken notice or ignored the recommendations. Probation officers stressed that sensitisation of other relevant stakeholders, particularly magistrates, will be key to ensuring the sustainability of the positive project impact.

Some probation officers felt that the more in-depth enquiries prompted an increase in workload, however many others, including the County Probation Directors, felt that any change in workload remained manageable within their current capacity.

The response from those implementing the project was encouraging across all aspects, and probation officers all hoped that the approach would be expanded across Kenya.

Furthermore, the structure of the project means that it is easily replicable in other countries, and experts from various agencies voiced interest in following the formula of piloting improvements to domestic tools and guidelines after evidence-based recommendations from detailed field research.

The indications from all those interviewed as part of this evaluation were positive; however, this can best be assessed with evidence from women offenders themselves in continued monitoring. A follow-up project is planned in order to guide the work of probation officers when supervising women serving probation orders or community service.

An additional objective of the project was to develop a project model that is replicable across international contexts. The model adopted, which can be seen [here](#), was praised by international technical experts for several reasons, chief of which was its replicability in other contexts since it aligns so closely to the Bangkok Rules.

Recommendations

The evaluation highlighted 10 key points to consider for international replication. These included:

- **Gain an in-depth understanding of the specific country context**, by conducting a study on the experiences and challenges of women completing non-custodial sentences and of relevant criminal justice stakeholders, and **use evidence-based recommendations from the study** to identify relevant steps to improve gender-sensitivity.
- **Identify and adapt existing tools and guidelines** and **create supplementary resources**.
- **Provide probation offices and magistrates with the research study findings and amended tools**, and conduct induction clinics at probation stations **to introduce the gender-specific aspect**.
- Commission an external evaluation of the project to assess the impact of activities and **use the evaluation's recommendations to finalise adapted tools**.
- Identify 'champions' within the probation service to speak to relevant stakeholders and at local meetings, **to sensitise the community to the gender-specific approach**.
- Identify senior probation staff to monitor and evaluate **the level of adherence of probation officers to the new gender-sensitive approach**.

Replicable project model

1. Thorough research examination of the context, including the voices of women completing non-custodial sentences
2. Adaptations to national tools, based on evidence-based recommendations and testing and sensitisation in pilot locations
3. External evaluation and recommendations
4. Finalisation of tools and guidance