

## **Victims' Satisfaction with Procedural Justice Reforms in Kakamega Law Courts, Kenya**

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**Abstract:** This study investigated about victims' satisfaction with procedural justice reforms in Kakamega Law Courts, Kenya through the descriptive cross-sectional design. The target population included 379 victims of sexual and gender-based violence who were primary respondents, extracted from Kakamega Law Courts records from 1<sup>st</sup> January 2019 to 1<sup>st</sup> March 2022. Yamane's method determined a sample size of 199 respondents who filled a questionnaire. Additionally, the researchers purposefully picked 15 key informants through interview. The researchers analyzed the qualitative data thematically. Descriptive statistics treated the quantitative data. Pearson Product Moment Correlation Coefficient determined the existing relationship between the independent and the dependent variables. The study concludes that the most pertinent needs of vulnerable victims involved in the study were those of protection from further harm. Authorities met the needs for information and participation to some extent. The current approach to meeting the information needs of victims focused on their instrumental role in providing evidence to facilitate the state function of seeking justice. Meeting the victims' needs somewhat increased their satisfaction with court services. The study recommends that criminal justice practitioners should prioritize the needs of vulnerable victims by ensuring that they are safe, supported and empowered. It is essential to empower victims by involving them in decision-making processes that directly influence their cases, ensuring that relevant authorities hear their voices and respect them throughout the legal process.

**Keywords:** Procedural justice; vulnerable victim; satisfaction; criminal justice system.

**How to Cite:** Gachoki, D. W., Oruta, E. M., and Onyango, E. A. (2023). Victims' Satisfaction with Procedural Justice Reforms in Kakamega Law Courts, Kenya. *East African Journal of Education and Social Sciences* 4(3)217-228-. DOI: <https://doi.org/10.46606/eajess2023v04i03.0293>.

### **Introduction**

In recent decades, crime victims have attracted increased attention. Several procedural justice

reforms have been introduced to enhance victim inclusion in the criminal justice system. Victim inclusion refers to the deliberate and active

involvement of victims of crime in decision-making processes, support services, and justice system. It aims to empower victims by providing them with opportunities to voice their needs, concerns and preferences, ensuring that their rights are respected and that they are treated as active participants in the recovery and justice-seeking process. Kirchengast (2016) points out that, modern criminal justice procedures have undergone progressive modifications that give victims' needs more considerations and permit significantly more victim engagement throughout the course of the criminal trial. As a result, measures in many jurisdictions addressing victim care and designed to make the criminal justice system victim-oriented have been introduced to ameliorate the hitherto victim neglect. Such victim-focused reforms have been put in place to not only provide services (mostly protective and informational ones) to fulfill victims' needs, but also to give them qualified opportunities to take part in criminal procedures.

Victim-focused procedural criminal justice reforms entail an approach where the procedures put in place focus on the victims, the rights of victims and the violations that come thereafter, beginning from when a victim files a first information report which sets the criminal justice in motion (Hagan & Hans, 2017). McKenna and Holtfreter (2021) notes that procedural justice reforms mainly focus on victim needs and concerns to ensure that services are delivered to the victims in a compassionate and non-judgmental manner by embracing a victim-centric approach. This approach seeks to minimize traumatization that is likely to be experienced within criminal justice processes. Pertinent measures include providing victims with advocates requisite services, empowering and engaging victims in the criminal justice processes by providing them with an opportunity to play a role in seeing their perpetrators brought to justice. This is primarily by being granted an opportunity to tell the court how the crime has affected them by giving a victim personal / impact statement.

Notwithstanding these initiatives, existing evidence suggests that victims' experiences with these measures have not been satisfactory. For instance, in the United Kingdom, Wood's (2015) victim and witness survey revealed that only 35% of the victims who participated in the survey provided a personal statement although all victims are entitled to do so should they express a wish to, a situation indicating poor implementation of this victim right. Besides,

according to the survey findings, 20% of victims were unsatisfied with the level of information provided to them throughout the criminal process and 19% were dissatisfied with the Crown Prosecution Service. This study points to the deficiencies in victim satisfaction that have accompanied efforts to enact procedural justice reforms within criminal justice processes. Similarly, in Kenya, Ngáng'ar (2020) observed that despite stipulations in the Victim Protection Act of 2014, investigating officers do not frequently share with victims their evidence, thus denying them a chance to actively take part in the inquiry. Consequently, victims feel dissatisfied with their level of engagement in the criminal processes. Relatedly, another study on victims' willingness to cooperate with the criminal justice system conducted in Kenya by Kariuki (2016) found that victims of crime were not adequately informed about the suspect's release and the case's overall development, which resulted in their dissatisfaction and resistance to cooperate in the future.

In view of these studies, it is apparent that there are gaps in the realization of the intended goals of procedural justice reforms within the criminal justice system, both in Kenya and elsewhere. It is against this backdrop that this study sought to establish the effect of these reforms on victims' satisfaction with the criminal justice system in Kenya. Kakamega, with 248 reported incidences, was placed third among Kenyan cities with the highest number of cases of sexual and gender-based abuse against children under the age of five in 2019. These constitute a significant proportion of vulnerable victims, i.e., victims who by virtue of age, gender or physical ability require special justice measures. Whereas there are elaborate provisions in the Victims' Protection Act of 2014 regarding the rights due to vulnerable victims, it is not clear whether these entitlements enhance satisfactory experiences of criminal justice procedures. This granted Kakamega an opportune context for extending this inquiry.

## **Literature Review**

In order to contextualize this study within the relevant existing corpus of literature on victims' satisfaction with procedural justice reforms, a review of literature was conducted that focused on the nature of the needs of victims in criminal proceedings, with a particular emphasis on the need for information, compensation and protection.

## **Nature of Victims' Needs**

Depending on the type of crime, the victim's gender, the severity of the crime and their ethnic background, different victim groups have distinct demands (Bauffard et al., 2017). While all victims of crime share the same basic requirements, Ten Boom and Kuijpers (2012) discovered that some victims of crime are more prone to voice particular needs than others. They also discovered that victims of violent crimes frequently need emotional support or someone to talk to. In comparison to crimes involving property, 35% of the victims indicated a desire for emotional support. They discovered that grieving relatives of homicide victims and those who had experienced domestic or sexual abuse exhibited a desire to mend fences with the perpetrator or with the larger community. The demands listed below are some of those that victims feel are crucial to meeting when they work to obtain justice through the criminal justice system.

### ***Need for Information in Criminal Proceeding***

Providing victims with information about the progress of their case is one of the ways that criminal justice systems enhance victims' dignity. Victims have the right to be informed about the status of their case and this information can help them to feel more involved in the process and to better understand what is happening. When victims are provided with regular updates on the progress of their case, they are more likely to feel that the system is working for them and that their rights are being respected. This, in turn, can lead to greater satisfaction with the criminal justice process. Providing victims with information about the progress of their cases can also help them to make more informed decisions about their own lives. For example, if a victim knows that the trial is scheduled for a particular date, they can plan their work and personal lives accordingly. Additionally, knowing what is happening with their cases can help victims to decide whether or not to seek counseling or other forms of support (Powell & Henry, 2018).

Victims are known to have an interest in both providing and receiving information about criminal proceedings as well as the offender, including whether they are remorseful for their actions and the outcomes of the criminal process (Kirchengast, 2016). Robert and Manikis (2013) examined victim experiences with the victim personal statements and found that 43% of the cohort remembered being informed by the police that they could prepare a statement. The percentage increased year

by year and 50% of the cohort opted to prepare a statement but two-thirds of the population felt that their inputs had not been taken into account by the criminal justice system actors. Similar findings were observed in Wood's study in the UK, involving 7,723 witnesses and victims, which revealed that 50% of the victims who prepared victim statements were unaware that they would be used in court (Healy, 2019).

Despite the various reforms that have been put in place to involve victims in the criminal justice system, victims are still often left as spectators while seeking justice. They are rarely informed on the court proceedings, the release of the accused or even when they are granted bail and neither are they given a chance to fill the Victim Impact Statements (Manikis, 2015). It is on this premise that this study sought to find out whether victims' informational needs were met such as to enhance their satisfaction with the criminal justice system.

### ***Need for compensation in criminal proceeding***

Various consequences result from victimization. Among them are injuries and other tangible costs, which include medical and lost earnings (Pinchevsky et al., 2020). To help mitigate these monetary costs, victims' compensation was established in California in the USA in 1965. Ten years later, most states had started to appreciate California's efforts and they adopted a victim compensation program. Today, every state in the USA gives victims an opportunity to receive compensation to ameliorate the victim's financial burden following victimization (Doerner & Lab, 2017). Providing monetary aid through this program assists direct and indirect victims through the physical and emotional trauma associated with victimization experiences. This act of meeting the needs of victims is important in that it communicates that the criminal justice system is actually acknowledging the harm that the victim has suffered and is helping in the recovery process of the victim. In the State of Georgia for example, crime victims are entitled to the right to apply for victims' compensation through the crime victim bill of rights (Kirchengast, 2019). Victims of violent crime who are eligible for compensation include sexual assault, child abuse, domestic violence assault, child abuse, domestic violence, robbery, kidnapping, homicide and child pornography. In California, there is a provision for compensation for eligible victims of crime who are either injured or those threatened to be injured. Those crimes that

are eligible for compensation include domestic violence, sexual and physical assault, homicide, robbery, drunk driving and vehicular manslaughter (Kim & Gallo, 2019). Services that are offered to these victims include medical and dental care, mental health services, income loss, funeral expenses, rehabilitation and relocation.

The Victim Protection Act of 2014 in Kenya provides for victims' reparation and victims right to compensation. Section 23 of the Act provides for the victims' right to be compensated for the economic loss, property damage, personal injury, medical cost and any other relief that the court may consider. However, the Kenyan criminal justice system does little to compensate victims of crime, especially in criminal cases (Chappell, 2017).

### ***Need for Participation in Criminal Proceeding***

Through victim participation, each individual victim of crime has the chance to infuse their voice into the criminal justice system and potentially influence its processes and outcomes (Halder & Jaishankar, 2016). According to the Sentencing Policy Guidelines (Government of Kenya, 2016), a victim has the right to give his or her thoughts on the appropriate sentence. This includes any negative consequences of the crime, needs it causes or other feelings like the need to make amends. If the victim wants to voice their opinions, the court must provide them a chance to do so. According to the Victim Protection Act, victims may give victim impact statements directly, indirectly, through the prosecution or if they so choose, a legal representative. These comments give specifics on the personal injury the victim experienced or in cases when the victim is dead, specifics about the consequences of the primary victim's passing. The Sentencing Policy also offers instructions on how the victim should participate in the criminal justice system. The victims should get notices to appear at the sentencing hearing from the court, but their decision not to do so should be respected. A court should therefore find out whether victim impact statements will be provided before sentencing. When submitted, they should be considered along with the victim's opinions.

Despite the aforementioned guidelines, victims typically only participate during trials as witnesses. They are frequently kept in the dark about the status of the cases, which has made victims angry with the criminal court system. This involvement is crucial since victims' interests differ from those of

the prosecutor. As a result, victims may go unnoticed and their perspectives may be disregarded (Oliver, 2019). In order to guarantee that vulnerable victims receive the proper care and protection, it is imperative to address their needs.

From the foregoing, most studies examining victim satisfaction with procedural reforms within criminal justice have focused on the needs of victims either of specific offences or generically while commensurate attention has not been given to the needs of vulnerable victims. According to the Victim Protection Act 2014, a vulnerable victim is a victim who due to gender, age or disability requires the provision of special justice and support. This includes women, children and people living with disabilities.

## **Methodology**

### **Design**

The study used the descriptive cross-sectional design, which aims at analyzing data at a specific point in time to describe a population, circumstance or phenomena based on the information attained from a predetermined sample (Akhtar et al., 2016).

### **Population and sampling**

In this study, the target population included 379 victims of sexual and gender-based violence who were primary respondents, extracted from Kakamega Law Courts records from 1<sup>st</sup> January 2019 to 1<sup>st</sup> March 2022. Of these, 373 were victims of sexual and gender-based violence, whose cases were still pending in court and six were victims whose cases had already been decided. For those victims whose cases were still ongoing, Yamane's method was used to obtain a sample size of 199. Following that, respondents were selected using the simple random sampling procedure. Additionally, the researcher purposefully picked 15 key informants, including five prosecutors, one crime-scene investigator, five judges and four probation officers who frequently interacted with helpless victim.

### **Research Instruments**

This study used a questionnaire with both open and closed-ended items and an interview schedule as data generation instruments. The researcher administered the questionnaire to primary respondents of the study while key informants of the study participated through interviews.

### Validity and reliability

The validity of the data collection tools was determined using experts in criminology who reviewed, evaluated and graded the relevance of each item in the tools. The researchers made adjustments accordingly. The questionnaire's reliability test yielded the Cronbach's Alpha of 0.885. Furthermore, data triangulation increased the reliability of the results.

### Statistical Treatment of Data

The researchers analyzed the qualitative data thematically. Descriptive statistics, in terms of frequencies, percentages and mean scores treated the quantitative data from closed-ended items in the questionnaire. Finally, Pearson Product Moment

Correlation Coefficient was used to determine the existing relationship between the independent and the dependent variables.

### Ethical considerations

The National Council of Science, Technology and Innovation as well as the Masinde Muliro University of Science and Technology provided permission for the study. Respondents gave informed consents after receiving assurances that the information they provide would be kept private.

### Results and Discussions

This section presents the results and discussion of findings. It begins with respondents' characteristics and then deals with research questions.

Table 1: Respondent's characteristics

Item	Frequency (n)	Percentage (%)
<b>Age</b>		
17 and below	109	59%
18-35	17	9%
36-53	35	19%
Above 53	23	13%
<b>Total</b>	<b>184</b>	<b>100%</b>
<b>Sex identity</b>		
Male	7	4%
Female	177	96%
<b>Total</b>	<b>184</b>	<b>100%</b>
<b>Marital status</b>		
Single	112	60.9%
Married	60	32.6%
Divorced	12	6.5%
<b>Total</b>	<b>184</b>	<b>100%</b>
<b>Level of education</b>		
Primary	112	61%
Secondary	68	37%
College	4	2%
<b>Total</b>	<b>184</b>	<b>100%</b>
<b>Nature of Victimization</b>		
Physical abuse	58	31.5%
Sexual abuse	126	68.5%
<b>Total</b>	<b>184</b>	<b>100%</b>
<b>Number of Times of Victimization</b>		
Once	37	20.1%
Twice	63	34.2%
More than Twice	84	45.7%
<b>Total</b>	<b>184</b>	<b>100%</b>
<b>Perpetrator of Victimization</b>		
Stranger	24	13.0%
Intimate partner	40	21.7%
Other	120	65.3%
<b>Total</b>	<b>184</b>	<b>100%</b>

## Respondents' Characteristics

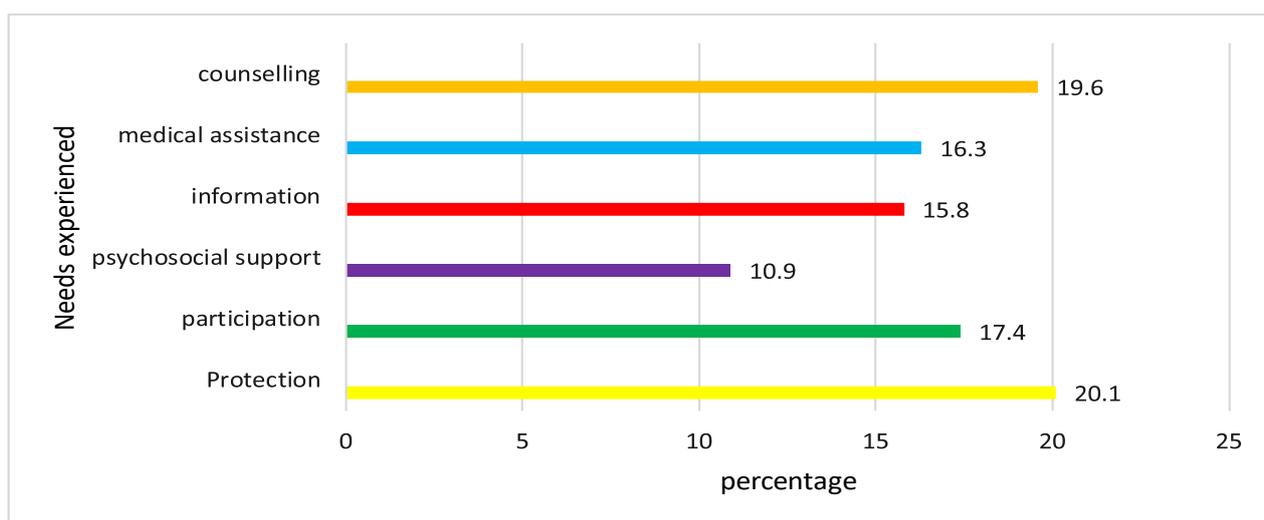
In table 1, results show that the majority (59) of the respondents were below 18 years old. Furthermore, 9% were between the ages of 18 and 35 while 19% were between the ages 36 and 53 and only 13% were above 53. In terms of gender, 96% were females while males were only 4%. About marital status, 60.9% of the respondents were single, 32.6% were married and only 6.5% were divorced. With respect to the level of education, 61% of the respondents had attained primary school level of education, 37% secondary school level and only 2% had attained college-level of education.

Based on the nature of victimization, 31.5% of the respondents experienced physical abuse while 68.5% experienced sexual abuse. On the number of times one had experienced victimization, 20.1% of the respondents experienced victimization once, 34.2% experienced victimization twice and 45.7% of the respondents had experienced victimization more than twice. Concerning the nature of relations

with the perpetrator of victimization, a stranger perpetrated 24 (13%) cases of victimization, 40 (21.7%) cases were perpetrated by an intimate partner, and others, including neighbors and known relatives, perpetrated 120 (65.3%) cases. The emerging general profile of the respondents suggests an intersection of gender, age, level of education and marital status as factors defining the profile of the vulnerable victims in this study. Thus, vulnerability to victimization is influenced by a convergence of certain demographic factors. Women, young individuals and those who are single were particularly vulnerable to victimization

**Research question 1:** What are the victims' needs experienced and level of satisfaction in the process of seeking justice?

Respondents were asked to list the needs they experienced in the process of seeking justice, and also rate their levels of satisfaction with how these needs were addressed post-victimization.



**Figure 1: Needs Experienced by Vulnerable Victims in the Process of Seeking Justice**

Results from figure 1 indicate that 20.1% of the respondents cited protection as the priority need while 17.4% cited participation in the criminal proceedings and 10.9% cited psychosocial support as their critical needs. Furthermore, 15.8% cited information on the progress of the case and how the criminal justice functions and 16.3% cited medical assistance as their critical needs. Finally, 19.6% cited counseling services as critical needs. These findings indicate that while respondents cited having experienced various needs, most of the most critical need was protection. Therefore, providing protection and security measures such as restraining orders, safe houses and witness protection

programs could help vulnerable victims feel safe and secure throughout the process of seeking justice.

The findings from the questionnaire are supported by one of defilement victims who stated, "I feel fearful that if my assailant is free, he might come looking for me and even steal me from this shelter and abuse me once again." A victim whose case is yet to be concluded expressed concerns about actual threats received from the man accused of defiling her child: "The perpetrator keeps threatening me. He says even if I took a step to report, nothing will happen." Another victim, whose case was already concluded, expressed safety concerns which emerged after the conclusion of the

case, when offenders' freedom comes at the expense of victims' emotional harm, a risk that is associated with the adversarial nature of the retributive trial process. She stated, "Because the perpetrator was sentenced but placed on probation, the father used to threaten us and I felt unsafe and psychologically disturbed by his threats."

A related scenario involved a case in which the husband, resulting in her losing some of her teeth, assaulted an elderly woman in her 50s. At the rear end of the criminal case in court, the family prevailed on her to pitch for a non-custodial sentence, and this was granted by the court. She observed that

He (the husband) has since changed. His age made him get placed on a non-custodial sentence. But I have not withdrawn the case because if I do so, he will still beat me up. He has not genuinely changed. He is just aware that he is under supervision and I feel safe that way.

In this instance, safety seems not to be leveraged by the court's final decision in the case. It is instead hinged on the suspended sentence and the fact that the threat of a custodial sentence in the event the husband breaches the terms of the probation order is what seems to control him and afford her safety from further victimization.

Thus, whereas the non-custodial sentence was granted on the strength of mitigating factors (his age) which secured the husband's conditional freedom, it simultaneously served as the only leverage for her safety. This case highlights the sense in which vulnerability of victims of intimate partner violence potentially outlasts the criminal process, and thus, is not resolved by it. The criminal trial appears to address the symptom of the disease rather than its cause. It also signals the need for provision of relevant and clearly needed therapeutic services to help victims cope with the aftermath of their victimization. The fact that the victim clings to the perpetuity of the court case suggests that she is yet to heal from the trauma of the violation and lives in fear of repeated victimization. This observation converges with other studies, which describe the nature of gendered victimization as repeated in nature and reflecting the gender power relations that routinize intimate partner violence (Murphy, et al., 2005).

The foregoing gaps in meeting or providing victims' protection needs exist despite provisions in policy and legislation to this effect. The Victims' Protection Act 2014 stipulates several provisions for protection of vulnerable victims. For example, Section 4 of the Act states that;

Where in the opinion of the court or a police officer, there is sufficient reason to believe that a victim is likely to suffer intimidation or retaliation from the accused, offender or any agent of the accused or offender, the Victims Protection Board shall immediately refer the victim to the Witness and Victim Protection Agency established under the Witness Protection Act, 2006 (VPA, 2014).

Regarding the right to protection, the Act provides that:

A victim has a right to be free from intimidation, harassment, fear, tampering, bribery, corruption and abuse; *they also have the right to their safety and that of their family considered in determining the conditions of bail and release of the offender; and have their property protected.*

he Act also outlines provisions for the security of victims and states that any person dealing with a victim shall ensure that the victim shall immediately be secured from further harm before any other action is taken in relation to the victim.

The Act also outlines provisions for the security of victims and states that any person dealing with a victim shall ensure that the victim shall immediately be secured from further harm before any other action is taken in relation to the victim. It provides that, such actions shall include, *inter alia*, placing the victim in a place of safety, in case of a vulnerable victim, securing food and shelter until the safety of the victim is guaranteed. The person should also secure urgent medical treatment, immediate psychosocial support and police protection for the victim, where appropriate. From the sentiments expressed by many of the victims, these legislative provisions were hardly implemented by agencies mandated to do so. This was underscored by an expression by one probation officer who stated that;

The witness protection is not being well utilized. The victims are on their own. Only politically significant people are offered protection. The common citizens are not

benefiting. They are not even aware that such is available to them. The prosecutors who are supposed to protect the victims also have very little to do with them.

Thus, there remains a gap between the provisions stipulated in the law and the actual practice which exposes vulnerable victims to protection gaps and thus safety risks, a situation which adversely affects their experience of the criminal justice process.

**Research Question 2:** To what extent were needs of respondents met during criminal proceedings? About information needs for vulnerable victims, results in table 2 show that 84.9% of the respondents indicated that they had been informed of the progress of the case while 15.1% indicated they had not received any information on the progress of their cases. This implies that most of the

respondents had received communication regarding their case progress. The results also indicate that 98.9% of the respondents agreed that receiving information was important to them while only 1.1% disagreed that receiving information was important. This implies that the majority agreed that receiving information was important to them.

Although the majority indicated to have received information, the quality of information received was not satisfactory as revealed by the qualitative data. The information was geared to enable the courts function rather than giving victims assurance and confidence about the justice process. Most of the victims received information about when to appear in court rather than systematic information about the court process and the progress of their cases. One of the respondents revealed that,

**Table 1.1: The Extent to which Vulnerable Victims' Needs were met in Criminal Proceedings**

SN	Statement	YES %	NO%
1	Were you informed of the progress of the case?	84.9	15.1
2	Was information important to you?	98.9	1.1
3	Were you given a chance to participate in criminal proceedings?	95.7	4.3
4	Did you appear before the court?	95.7	4.3
5	Were you given chance to tell the court of the criminal event	73.9	26.1
6	Was participating important to you?	99.1	0.9
7	Do you think compensation was a need that the court should have addressed?	34.8	65.2
8	Did the court order compensation?	3.3	96.7
	Was the compensation equivalent to the harm you had suffered?	4.6	95.4

I only understand that the prosecutor in case it is a child's case, he or she is the one who decides whether to prosecute or release. The magistrate listens to the case and notes something and the magistrate writes the next hearing date. The prosecutor tells me when I appear before the court. He tells me to talk the truth and I should not fear but does not tell me what or how the court functions.

Another respondent reported,

I have not received information on how the court functions. I have never sat down with the prosecutor but when I go to court, she tells me to explain to her the details of my case. She tells me not to be fearful. The prosecutor tells me to tell the truth without fear.

This was affirmed by sentiments from another victim who stated, "No one has told me where my case has reached but once you go to court, they tell you when to go to court next, but I am not aware of

where we have reached." Yet another victim of defilement, whose case was still underway in court stated, "I was advised to say the truth on what happened so that I can get justice. Since then, I have never had a chance to talk to her again. Nobody explains to me the role of the magistrate."

Another victim, a mother to a defiled minor whose case was still in progress in court expressed a similar sentiment: "I have no information on where the case is going or how long it will take. When we go to court, the clerk only tells us that today is a mention. We should come back on a certain day." One probation officer expressed similar sentiments when she noted, "Other times victims come to court and the court is not sitting and no one informs them about a previous adjournment. At other times, the defense lawyer has requested for an adjournment but the victim is not informed accordingly."

Thus, the kind of information received is merely one that is one way, extracting information from the victims without furnishing the victims with relevant information to support their participation in the

court. These sentiments imply that the respondent did not have the benefit of prior briefing about the trial process. Such information would have facilitated a more informed engagement with the courtroom procedures. The respondent added, "I have never had a chance to talk to the magistrate. He only listens...I am sometimes fearful (when I appear in court) but when I get hold of the Bible I am strengthened.

Regarding participation, results from table 1 shows that 95.7% of the respondents had appeared before the court and only 4.3% of the respondents reported not having appeared before the court. This was explained by factors such as missing files. Other respondents complained of going to court only for their cases to be postponed. A female victim of domestic violence expressed her disappointment with the court by noting that,

I have been going to court every month since the case began without making any progress. I later realized that my assailant was out on bond and went to make a complaint to the court they re-arrest him and from then every time I went to court, they kept postponing claiming that my file is missing. I kept going to court hoping I would get justice. A year was over without making any progress and now I could not afford transport to continue attending court proceedings

In this instance, the victim's participation was itself hampered by informational deficiencies and apparently the person felt excluded from decisions made about the release of the accused person on bond. Some respondents felt they had an opportunity to participate in criminal proceedings through personal presence at trial.

Besides, 73.9% of respondents agreed to had been given a chance to tell the court of the criminal event while 26.1% had not been able to tell their stories. When asked to indicate whether participating in the criminal proceedings was important, 99.1% of the respondents agreed while only 0.9% disagreed to this statement. The lack of interest to participate in criminal proceedings by a small percentage was attributed to respondents' inability to afford transport expenses to travel to the courts, which led to cases being discarded. This implies that most respondents felt that participating in the proceedings was important to them. However, the respondents indicated that victims' participation is

worthwhile when it is meaningful in the sense that the criminal process is progressive, productive and there is closure in their cases.

These results contradict the provisions in section 14, 2 (b) of the Victims Protection Act 2014 (GoK 2014), according to which participation in criminal proceedings is a right that victims are entitled to enjoy. Thus, victims should have access to and participate in the criminal justice processes with little hindrances.

With respect to compensation, results shown in Table 1 indicate that only 34.8% of the respondents considered compensation as a need that the court should have addressed while 65.2% disagreed. This suggests that most respondents felt that compensation was not an appropriate remedy for their victimization. Vulnerable victims expressed dissatisfaction with compensation because the compensation awarded often did not reflect the true cost of the harm suffered. For example, victims of sexual abuse may suffer from long-term psychological trauma that can affect their ability to work and earn a living. The compensation awarded may, however, not take into account these long-term effects, resulting in inadequate compensation. Kenya National Commission on Human Rights (KNCHR) found that accessing compensation for victims of sexual and gender-based violence (SGBV) is a complex and time-consuming process (Kenya National Commission on Human Rights, 2015). According to their study, victims often face challenges in reporting the crime, and when they do, they encounter delays and bureaucratic bottlenecks within the legal system. As a result, many victims do not receive the compensation they are entitled to, which can lead to further trauma and economic hardships. In many cases, obtaining compensation requires filing a legal claim, which can be a lengthy and complicated process. For vulnerable victims who may already be dealing with trauma or other challenges, the thought of going through a legal process may be daunting and amount to secondary victimization, which they may not want to go through.

When asked whether the court had ordered compensation, the results indicate that only 3.3 % agreed while the majority (96.7%) disagreed. This indicates that most of the respondents whose cases had been decided did not benefit from court-ordered compensation. When asked whether compensation was equivalent to the harm they had

suffered, only 4.6% of the respondents agreed while 96.7% of the respondents indicated that compensation would not be equivalent to the harm they had suffered. This suggests that most respondents felt that compensation, even if ordered by the court, would not be equivalent to the harm they had suffered. Therefore, equipping victims with relevant information and giving them a chance to participate in the proceedings can significantly enhance their experiences with the criminal justice system and potentially influence their satisfaction with the services offered.

**Research Question 3:** Is there a significant relationship between meeting victim's needs and satisfaction with the court services?

This research question sought to establish the association between meeting victim's needs and satisfaction with the court services. The research question called for testing of the following null hypothesis, which was tested through Pearson Product Moment Correlation Coefficient: There is no significant relationship between meeting victim's needs and satisfaction with the court services.

**Table 3: Correlation between Meeting Victim's Needs and Satisfaction with Court Services**

		Meeting Victim Needs	Satisfaction
Meeting Victims Needs	Pearson Correlation	1	.623**
	Sig. (2-tailed)		.000
	N	184	184
Satisfaction	Pearson Correlation	.623**	1
	Sig. (2-tailed)	.000	
	N	184	184

\*\* . Correlation is significant at the 0.01 level (2-tailed).

With a p-value of .000, which is lesser than the critical value, there is a significant relationship between meeting victim's needs and satisfaction with the court services. Therefore, the null hypothesis was rejected. To determine the strength of the relationship, the researchers adopted the Guildford's (1973) rule of Thumb for the interpretation of the correlation coefficients (r) where; <0.2 indicates a negligible relationship, 0.2-0.4 indicates a low relationship, 0.4-0.7 indicates moderate relationship, 0.7-0.9 indicate high relationship and > 0.9 indicate very high relationship. Therefore, the strength of the relationship was moderate, which means meeting the victims' needs moderately increases the victims' satisfaction with court services. In order to guarantee that vulnerable victims receive the proper care and protection, it is imperative to address their needs. According to the National Center for Victims of Crime (2019), it is a matter of human rights to grant all victims, regardless of their vulnerability, equal access to justice and support. This promotes healing, lessens the chance of victimization and lessens the negative effects of victimization. The National Institute of Justice also stated in 2016 that meeting the needs of vulnerable victims might help boost such individuals' confidence in the legal system and lessen the risk that crimes will go unreported.

## Conclusions and Recommendations

This study concludes that the most pertinent needs of vulnerable victims involved in the study were those of protection from further harm. Authorities met the needs for information and participation to some extent. The current approach to meeting the information needs of victims in court primarily focused on their instrumental role in providing evidence to facilitate the state function of seeking justice. Most of elaborate provisions in the Victims' Protection Act of 2014 for vulnerable victims of crime were implemented parsimoniously, thereby denying victims a wholesome welfare-enhancing experience in the justice process. Victims were largely handled in a generic manner as mere complainants with little special arrangements to engage with the criminal justice system that enhances therapeutic outcomes. Meeting the victims' needs somewhat increased their satisfaction with court services

The study recommends that criminal justice practitioners should prioritize the needs of vulnerable victims by ensuring that they are safe, supported and empowered. This will enhance their experiences with the criminal justice system. It is essential to empower victims by involving them in decision-making processes that directly influence their cases, ensuring that relevant authorities hear their voices and respect them throughout the legal

process. Relevant authorities should implemented comprehensive measures to actualize provisions in the victims' protection act to enhance satisfaction with criminal justice. This will support the victim's future engagement with the justice system and further enhance its legitimacy.

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