Strategies for Promoting Best Practices in Correctional Institutions: The Role of Independent Penal Monitoring Bodies in Kenya

Evans Oruta,
https://orcid.org/0000-0003-3682-7256
eoruta@mmust.ac.ke
Yvonne Chepkemoi
yvonnechepkemoi17@gmail.com
Masinde Muliro University of Science and Technology, Kenya

Abstract.

This study examined the role of independent penal monitoring bodies (IPMBs) in promoting best practices in correctional institutions in Kisumu County, Kenya. It focused on inmates' experiences with complaint resolution, the strategies employed by IPMBs and improvements in correctional management arising from collaboration. The study adopted a descriptive research design integrating quantitative and qualitative approaches. A sample of 362 inmates was determined using Israel's formula, while purposive sampling identified key informants, including human rights officers, officers in charge and inmates' family members. Data were collected through semi-structured questionnaires, interviews and focus group discussions. Quantitative data were analysed using SPSS, while qualitative data underwent content analysis. Findings revealed varying levels of inmate awareness of complaint procedures and limitations in monitoring visits, communication and complaint responses: 19.48% and 17.48% of inmates had interacted with officials of the Kenya National Commission on Human Rights (KNCHR) and the Commission on Administrative Justice (CAJ) respectively and only 16.34% reported improvements in prison conditions after visits. Collaboration contributed to improvements in rehabilitation, safety and offender management. The study recommends awareness initiatives, inclusive monitoring, timely complaint resolution and institutionalised collaboration to strengthen human rights-based correctional practices.

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1. Introduction

Independent penal monitoring bodies play a critical role in promoting humane treatment and safeguarding the rights of persons deprived of liberty. The principle that prisoners retain their dignity and are protected from torture and cruel, inhuman or degrading treatment is rooted in the Universal Declaration of Human Rights (United Nations General Assembly, 1948) and is reinforced by the Optional Protocol to the Convention against Torture (OPCAT, 2002), which provides for independent monitoring of places of detention. In Kenya, prison monitoring has evolved through the involvement of civil society organisations, the media and statutory oversight institutions. The establishment of the Kenya National Commission on Human Rights Act in 2002 reinforced the Kenya National Commission on Human Rights' (KNCHR) role in protecting inmates' rights, conducting inspections and proposing decongestion measures (Ochieng, 2003). Despite constitutional provisions (Government of Kenya, 2010), challenges persist in realising human rights within Kenyan prisons, including unsanitary conditions, limited medical access and delays in the administration of justice (Irungu, 2019).

In Kisumu County, overcrowding in correctional facilities exacerbates human rights concerns and inadequate living conditions (Irungu, 2019). Overcrowding places pressure on available facilities and essential services, including sanitation, healthcare, food and accommodation. These conditions raise concerns about the protection of inmates' dignity and the capacity of correctional institutions to meet established human rights standards. Inyani (2021) established that sexual violence was rampant in Kisumu Maximum Prison and that the prison administration failed to address and document the incidents. Such findings raise concerns about the effectiveness of internal accountability mechanisms and the protection of inmates from abuse. Independent penal monitoring bodies are therefore important in identifying violations, receiving complaints, inspecting detention conditions and recommending corrective measures to prison authorities.

Despite the establishment of independent penal monitoring bodies to prevent torture and improve prison conditions, concerns persist regarding abuse, poor sanitation, inadequate food and water and barriers to family visits. Slow complaint resolution and limited responsiveness to grievances further raise questions about the effectiveness of monitoring interventions. This study therefore examines the role of independent penal monitoring bodies in promoting best practices in correctional institutions in Kisumu County, Kenya, focusing on inmates' experiences with complaint resolution, monitoring strategies and improvements in correctional management practices.

1.1 Statement of the Problem

The establishment of independent penal monitoring bodies in Kenya, supported by the Persons Deprived of Liberty Act (2014) and the Prevention of Torture Act (2017), seeks to prevent torture and ill-treatment in correctional institutions. These bodies are mandated to conduct visits and inspections, investigate complaints from persons deprived of liberty, promote human rights awareness among prison officials and recommend improvements in detention conditions. Despite these legal and institutional measures, persistent reports indicate that incarcerated individuals continue to experience abuse, inadequate living conditions and restricted access to family and legal support. The 2022 Kenya Human Rights Report documented cases of violence by prison officials, poor sanitation, food and water shortages and bureaucratic barriers to family visits (United States Department of State, 2022), raising concerns about the effectiveness of existing monitoring mechanisms.

The persistence of these challenges suggests a gap between the intended objectives of independent penal monitoring bodies and the actual conditions experienced by inmates. Slow

or unresponsive complaint resolution processes further raise questions about the effectiveness of monitoring strategies and collaboration between oversight bodies and correctional institutions. In Kisumu County, there is a need to examine how inmates, prison staff and inmates' families perceive the effectiveness of these bodies in addressing grievances and promoting humane correctional practices. This study therefore investigates the role of independent penal monitoring bodies in promoting best practices in correctional institutions in Kisumu County, Kenya, focusing on complaint resolution, monitoring strategies and improvements in correctional management practices.

1.2 Objective of the Study

The objective of the study was to analyse the strategies employed by independent penal monitoring bodies to promote best practices in correctional institutions.

2. Review of Related Literature and Theoretical Framework

2.1 Theoretical Review

The study is anchored on Human Rights Theory, the Due Process Model of Criminal Justice and Rational Choice Theory.

2.1.1 Human Rights Theory

Human rights theory, associated with John Locke's *Two Treatises of Government* (1689), emphasises that individuals possess inherent rights and freedoms independent of government authority (Mamiński, 2020). In correctional institutions, this perspective maintains that incarceration does not remove an individual's fundamental rights or dignity. Independent penal monitoring bodies therefore play an important role in identifying human rights violations, preventing torture and ill-treatment, promoting accountability and recommending improvements in detention conditions. The theory also supports access to rehabilitation, education, vocational training and psychosocial services as essential components of humane correctional management (Naylor, 2016; Van der Valk et al., 2021).

2.1.2 The Due Process Model of Criminal Justice

The Due Process Model was developed by Herbert L. Packer in *The Limits of the Criminal Sanction* (1968) and emphasises procedural fairness, protection of individual rights and limitations on the exercise of state authority. The model supports fair treatment, access to legal representation, protection against degrading treatment and impartial procedures within the criminal justice system (Baldan, 2018). In correctional institutions, these principles are relevant to disciplinary proceedings, complaint resolution, access to healthcare and protection against the misuse of authority. Independent penal monitoring bodies support due process by examining complaints, assessing compliance with human rights standards and recommending corrective measures where violations occur. The model therefore provides a basis for examining how monitoring bodies promote accountability and fair treatment in correctional facilities in Kisumu County, Kenya (Kirima, 2020).

2.1.3 Rational Choice Theory

Rational choice theory explains how individuals make decisions by assessing available options, anticipated benefits and potential costs (Hechter & Kanazawa, 2019). In correctional institutions, the theory helps explain how prison officials and institutional administrators respond to monitoring, accountability mechanisms, public scrutiny and recommendations for reform. Independent penal monitoring bodies influence these decisions through inspections, reporting, information sharing and follow-up on recommendations. These activities increase

the likelihood of detecting misconduct and create incentives for correctional personnel to comply with established standards. The theory is therefore relevant to understanding the strategies monitoring bodies employ to promote best practices and the extent to which collaboration between oversight institutions and correctional facilities contributes to improvements in inmate welfare, safety, rehabilitation and correctional management.

2.2 Empirical Review

2.2.1 Preventive Visits by Independent Penal Monitoring Bodies

The principle that inspection and monitoring of prisons can protect human rights and prevent torture and ill-treatment is well established under international human rights law (Van der Valk et al., 2021). Visits to places of deprivation of liberty serve as a critical preventive measure and a deterrent in environments where officials have absolute control (Lagat, 2018). Independent penal monitoring bodies conduct preventive visits to assess detention conditions, identify human rights violations and recommend improvements in correctional institutions. Visits may be comprehensive, thematic, follow-up, ad hoc or reactive, depending on their purpose (Hardwick & Murray, 2019). Comprehensive visits seek a thorough understanding of conditions and treatment; thematic visits focus on specific issues across similar facilities; follow-up visits assess the implementation of earlier recommendations; ad hoc visits respond to significant occurrences such as fires or strikes; and reactive visits address specific allegations raised by detainees, relatives or non-governmental organisations (Van der Valk et al., 2021). Preventive visits are characterised by regularity, proactivity and constructive dialogue with prison administrations to provide recommendations for long-term improvement (United Nations Human Rights, 2010) and announced visits can help secure the presence of the officer in charge of the prison (Padfield, 2018).

In Kenya, the KNCHR identified overcrowding, lack of bedding and uniforms, poor lighting, poor sanitation and limited access to affordable healthcare during prison visits conducted between 2007 and 2017. The visits also documented best practices, including spiritual support to prisoners, improved dietary provision, improved understanding of the minimum standards by prison officers, which reduced physical torture and some progress in caring for vulnerable groups (Kenya National Commission on Human Rights, 2018).

2.2.2 Recommendations by Independent Penal Monitoring Bodies

Recommendations are the primary tool through which independent penal monitoring bodies contribute to best practices, addressing the risk factors and root causes of torture, ill-treatment and human rights violations (Van der Valk et al., 2021). Because monitoring bodies are preventive rather than judicial and have no enforcement powers over prison authorities, they rely on recommendations, follow-up visits and dialogue to support change (Van der Valk et al., 2021). The Nelson Mandela Rules require prison authorities to indicate whether they will implement recommendations within a reasonable time frame (United Nations, 2015).

KNCHR annual reports for 2007 to 2018 contain recommendations that include separate accommodation and spacious cells for women prisoners accompanied by their children, expediting court processes to avoid delays, addressing congestion, ensuring adequate bedding, providing special diets and a sufficient supply of ARV drugs for prisoners with HIV/AIDS, expanding and equipping vocational training facilities and improving housing for prison staff (Kenya National Commission on Human Rights, 2018). Implementation of such recommendations depends on available resources, institutional commitment and effective follow-up mechanisms. In Kisumu County, examining these recommendations helps establish

their contribution to inmate welfare, institutional accountability and improved correctional management.

3. Methodology

3.1 Research Design

A research design is an overall framework used by a researcher to integrate the various aspects of a study in a clear and concise manner, ensuring that the research problem is addressed effectively (Creswell & Creswell, 2017). This study adopted a descriptive research design in planning, collecting, measuring and analysing the data. The descriptive research design allowed the researcher to merge quantitative and qualitative data, thus analysing the research problem comprehensively. The two data types were collected simultaneously but analysed separately, which saved time and provided an avenue for contradictions to be further probed.

3.2 Study Area

The study sampled four prisons in Kisumu County: Kisumu Maximum Prison, Kisumu Medium Prison, Kibos Maximum Prison and Kibos Medium Prison. Each facility represents a different aspect of the correctional environment, giving a good mix of maximum and medium security. These differences enhance the robustness of the study because they reflect institutional differences in practices and challenges and they made the facilities suitable focal points for examining how complaints are resolved and how inmates perceive their rights in different kinds of prison environments.

3.3 Target Population and Sampling

Kumar (2011) defines a target population as the set of events, people or objects to which the researcher seeks to generalise the findings. The target population comprised three stakeholder groups: convicted inmates, prison staff and family members of inmates from Kisumu and Kibos Maximum and Medium Prisons. Inmates provide first-hand experience of conditions within correctional facilities, prison staff contribute operational insights and family members highlight the broader impact of incarceration. The study population was 3,850, made up of 3,832 convicted prisoners who had been allocated the progressive stages under the Kenya Prisons Service Act, four officers in charge (OICs), four human rights officers (HROs) and ten family members of inmates.

A sample of 362 inmates was determined using Israel's (2009) formula at a 5% margin of error and distributed across the four prisons as shown in Table 1. Eligible inmates had served at least six months, had lodged at least one complaint and had contacted an independent penal monitoring body during their sentence. OICs and HROs were selected purposively and family members were selected purposively to form a focus group of ten.

Table 1. Study population and inmate sample by institution

Institution	Study population (convicted prisoners)	Inmate sample
Kisumu Maximum Prison	1,688	159
Kisumu Medium Prison	444	43
Kibos Maximum Prison	500	47
Kibos Medium Prison	1,200	113
Total	3,832	362

Source: Kenya Prisons Service (2022); researchers' sampling.

3.4 Research Instruments

A research instrument is the researcher's device for collecting data (Kumar, 2011). The study used three instruments: a semi-structured questionnaire, an interview schedule and a focus group discussion guide. Creswell and Creswell (2017) support the use of multiple instruments to enhance the validity of the data obtained and to minimise interviewer bias. Such bias often arises from non-verbal cues that may influence respondents to report positive aspects even where negative aspects are expected (Kumar, 2011). The semi-structured questionnaire was used to collect quantitative data from inmates, while in-depth interviews with OICs and HROs and a focus group discussion with ten family members, held at the Obunga Social Justice Centre Hall on 16 January 2023, were used to collect qualitative data. The instruments were pre-tested with 37 inmates at Kakamega Main Prison and data collection was carried out in January and February 2023.

3.5 Data Analysis

Quantitative data were coded, organised and entered into the Statistical Package for the Social Sciences (SPSS) for analysis using descriptive statistics, including frequencies, percentages and measures of central tendency, to identify patterns and trends in participants' responses. Qualitative data from open-ended questions and thematic observations were analysed using content analysis, involving the categorisation of similar responses according to the study objectives and key themes. The qualitative findings were synthesised into narratives and supported by direct quotations where appropriate to capture participants' experiences and perspectives. Quantitative findings were presented using tables, while qualitative findings were presented descriptively. Integrating the two forms of analysis provided a comprehensive understanding of the study objective and informed the conclusions and recommendations.

3.6 Ethical Considerations

Professional bodies adopt codes of ethics to guarantee the rights of respondents in a study. The study obtained approval from the Directorate of Postgraduate Studies of Masinde Muliro University of Science and Technology and a research permit from the National Commission for Science, Technology and Innovation (NACOSTI). Informed consent was sought from each respondent, including OICs, HROs, prisoners and family members of inmates and participants were made aware that participation was voluntary. Those who declined to participate were substituted appropriately. Confidentiality was ensured by not capturing names or other personal identifiers that could reveal informants' identity or opinions.

4. Findings and Discussion

4.1 Findings

4.1.1 Response Rate

The study targeted 380 primary respondents: 362 convicted prisoners serving in correctional institutions within Kisumu County, four officers in charge, four human rights officers and ten family members of convicts. Responses were received from 349 inmates, three officers in charge, four human rights officers and nine family members, giving a response rate of 95.73%. According to Remler and Van Ryzin (2021), a response of 70% or more of the targeted sample is adequate for generalising findings from the sample to the population from which it was drawn.

4.1.2 Frequency of Visits and Inmate Interactions with Independent Penal Monitoring Bodies

Prisoners were asked whether they interacted with officers from the KNCHR and the CAJ when they visited the prison. The findings are presented in Tables 2 and 3.

Table 2. Prisoner interactions with officials from the KNCHR

Interaction	Frequency	Percentage (%)
Yes	68	19.48
No	281	80.52
Total	349	100.0

Source: Field data, 2023.

As shown in Table 2, 68 inmates (19.48%) reported interacting with KNCHR officials, while 281 (80.52%) reported no interaction. The findings indicate limited direct engagement between inmates and the Commission during monitoring visits, which suggests that the majority of inmates do not receive the direct oversight or support that these bodies are mandated to provide, potentially limiting the scope of IPMBs' impact. For instance, an inmate expressed disappointment at the lack of consistent visits:

> *The officers have not come to the prisons in quite some time and I can't recall their last visit... We always hope they will come, but they aren't invited often, possibly because prison management fears we might report some of the mistreatment we endure, like being beaten for minor infractions.* (Inmate, 2023)

This statement reflects inmates' desire for consistent oversight and their perception that prison management may be reluctant to invite IPMBs for fear of exposing potential rights violations. Inmates' need for regular IPMB visits is corroborated by Van der Valk and Rogan (2021), whose study affirms the value of frequent monitoring for inmates' well-being and rights.

Table 3. Prisoner interactions with officials from the CAJ

Interaction	Frequency	Percentage (%)
Yes	61	17.48
No	288	82.52
Total	349	100.0

Source: Field data, 2023.

Table 3 shows that 61 inmates (17.48%) had interacted with CAJ officials, while 288 (82.52%) reported no interaction. The findings indicate limited contact with both monitoring bodies, with the proportion reporting interaction with the KNCHR exceeding that for the CAJ by 2.00 percentage points. Inmates' feedback in the open-ended section of the survey shed light on their lived experiences and expectations. Inmates described short, rushed meetings in which only a handful of complaints were noted and feedback was often delayed, if provided at all. One inmate recalled being given approximately ten minutes to share his complaint:

> *I only had about ten minutes to share my complaint because the officers were rushed... I wanted to inform them that inmates were suffering due to the actions of prison staff, including frequent searches for contraband and severe beatings for possessing any prohibited items. I had been assaulted by a group of officers and wished to file a complaint. They noted my complaint in a book and assured*

> *me they would discuss it with prison management; however, over eight months later, I've received no feedback.* (Inmate 1, 2023)

4.1.3 Purpose of Visits by Independent Penal Monitoring Bodies

Inmates were asked to state the purpose of the visits by KNCHR and CAJ personnel. The findings are presented in Table 4.

Table 4. Reported purposes of IPMB visits

Purpose of visit	Frequency	Percentage (%)
Follow-up investigation on complaints raised	71	20.34
Inquiry about detention conditions	88	25.21
Both inquiry and investigations	121	34.67
Other issues	48	13.75
I do not know	21	6.02
Total	349	100.0

Source: Field data, 2023.

The most frequently reported purpose of IPMB visits was to investigate complaints and examine detention conditions jointly, as indicated by 121 inmates (34.67%). A further 88 inmates (25.21%) identified inquiries about detention conditions, while 71 (20.34%) identified follow-up investigations into complaints. Another 48 inmates (13.75%) reported other purposes and 21 (6.02%) did not know why the visits occurred. Qualitative evidence indicated that visits involved explaining inmates' rights, receiving complaints, examining prison conditions and assessing healthcare services. These findings demonstrate the multiple functions of monitoring visits while indicating a need for clearer communication with inmates about the purpose and outcomes of each visit.

4.1.4 Changes in Prison Conditions Following Monitoring Visits

Inmates were asked whether prison conditions had changed following visits by KNCHR and CAJ officials. The findings are presented in Table 5.

Table 5. Reported changes in prison conditions following IPMB visits

Response	Frequency	Percentage (%)
No changes in prison conditions	118	33.81
Improvements in prison conditions	57	16.34
No improvements in prison conditions	107	30.66
Needed clarification or provided no response	67	19.19
Total	349	100.0

Source: Field data, 2023.

The findings reveal mixed perceptions of the impact of monitoring visits. A total of 118 inmates (33.81%) reported no changes in prison conditions, while 107 (30.66%) stated that conditions had not improved. Only 57 inmates (16.34%) reported improvements and 67 (19.19%) required clarification or provided no response. Qualitative accounts indicated that some complaints remained unresolved after visits, while other inmates lacked information about complaint procedures or the outcomes of monitoring activities. Some inmates reported improvements in

specific areas, including cleanliness, following monitoring interventions. The findings suggest that monitoring visits did not consistently translate into visible improvements for inmates and highlight the importance of follow-up, feedback and wider dissemination of information about corrective actions. The data imply that the procedural expectations surrounding these visits have often gone unmet, likely contributing to inmates' frustration. For instance, one inmate remarked:

> *My complaint remains unresolved... KNCHR officials have not returned since their last visit when only ten inmates were chosen and I wasn't one of them.* (Inmate, 2023)

This statement highlights a procedural gap, as due process principles suggest that each complaint deserves an equal opportunity for resolution. The monitoring bodies' infrequent visits and limited engagement reinforce a sense of exclusion for many inmates, as only a select few receive attention during each visit. A lack of follow-up also leaves inmates questioning whether their grievances matter or whether the complaints process genuinely addresses their needs.

4.1.5 Perspectives of Officers in Charge on Visits by Independent Penal Monitoring Bodies

Interviews with officers in charge provided additional evidence on the frequency, nature and perceived effects of IPMB visits. The officers described KNCHR visits as involving inspections of facilities, examination of records and inmate cases and assessment of food, sanitation, healthcare and general living conditions. They also reported differences in visit frequency: one officer stated that the KNCHR had visited three times over three years, while another reported four visits per year. The officers further indicated that visits included both announced and unannounced inspections. By providing a regular and impartial review, the KNCHR embodies the procedural fairness that due process demands, aligning its work with principles that prioritise procedural consistency and transparency. One officer explained:

> *The KNCHR makes regular visits... I understand their role as a watchdog institution that ensures the prison environment adheres to regulations and maintains humane conditions for inmates. They usually inform me ahead of their official visits, although sometimes these visits are unexpected... I don't fear their presence because they are fulfilling their responsibilities. Their selective visits include training for both inmates and staff, as well as inspections of food, medical facilities and living conditions... Their inspections are thorough; they review everything from records to inmate cases and overall facilities.* (OIC, 2023)

However, discrepancies in the frequency of visits across facilities reveal gaps in procedural regularity.

4.1.6 Follow-up Visits and Implementation of Recommendations

The study examined whether IPMBs followed up on recommendations to assess implementation. Officers in charge reported that monitoring bodies had access to institutional records for follow-up activities, although administrative procedures sometimes delayed the process. Inmates also reported delays in receiving feedback on complaints and grievances. One officer described follow-up as straightforward in terms of access to records but acknowledged that the process was slow and officers noted that while IPMBs have the necessary access for follow-ups, bureaucratic obstacles often slow the process.

> *It is quite straightforward for the independent penal monitoring bodies to conduct follow-ups since they have access to the records... However, the process can be slow.* (OIC, 2023)

These delays can weaken the perceived efficacy of IPMBs and undermine the confidence of both officers and inmates in the system's capacity to deliver justice. The findings indicate that follow-up was an important component of independent penal monitoring, but delays limited its perceived effectiveness. Inmates' accounts showed that recording complaints did not always lead to timely feedback or visible corrective action. These experiences risk weakening confidence in complaint mechanisms and reducing inmates' willingness to report violations. Strengthening coordination between monitoring bodies and prison administrators, establishing clear timelines for responding to recommendations and communicating implementation progress to inmates would improve accountability and support the adoption of best practices.

4.1.7 Access to Publications by Independent Penal Monitoring Bodies

The study assessed whether inmates had accessed publications produced by the KNCHR and the CAJ in prison libraries. Only 15.76% of inmates had accessed these publications. The study also found that some inmates received information through reports read aloud by prison staff rather than through direct access to the documents. A family member observed:

> *I haven't had the chance to read any books, magazines, or journals published by independent penal monitoring bodies in Kenya... I appreciate their efforts to inform prisoners about their rights, but I believe more needs to be done to ensure we receive more publications from them so we can understand what they are doing for our community.* (Grandfather of an inmate, FGD, 2023)

The findings indicate limited direct access to publications from independent penal monitoring bodies. Because reports were sometimes read aloud by prison guards, inmates' ability to consult the documents independently or to provide feedback on their contents was limited. Limited access to publications restricts opportunities for inmates to understand their rights, the findings of monitoring visits and the recommendations intended to improve prison conditions.

4.2 Discussion

The findings demonstrate that independent penal monitoring bodies employed several strategies to promote best practices in correctional institutions in Kisumu County, including monitoring visits, complaint investigations, recommendations, follow-up activities and dissemination of information. Quantitative results showed limited inmate interaction with the KNCHR (19.48%) and the CAJ (17.48%). Although 34.67% of inmates identified both complaint investigations and inquiries into detention conditions as purposes of monitoring visits, only 16.34% reported improvements in prison conditions following the visits. Qualitative findings identified uneven visitation schedules, selective inmate participation, delayed complaint feedback, resource constraints, limited staff training and inadequate access to monitoring publications. At the same time, some officers recognised the value of inspections and some inmates reported improved hygiene following recommendations.

These results are consistent with the preventive-visit model described in the literature, which depends on regularity, proactivity and constructive dialogue (Hardwick & Murray, 2019; United Nations Human Rights, 2010). The differences in visit frequency reported by officers in charge and inmates' reports of being excluded from visits, point to gaps in regularity and inclusiveness, which supports Van der Valk and Rogan's (2021) emphasis on frequent monitoring for inmates' experience of rights protection. The delays in feedback and follow-up

are significant because monitoring bodies have no enforcement powers and rely on recommendations and follow-up to bring about change (Van der Valk et al., 2021).

The findings also align with the study's theoretical framework. Under the Due Process Model, the practice of recording complaints without timely feedback and of hearing only a select few inmates falls short of the equal opportunity for a complaint to be heard and resolved. In terms of human rights theory, limited access to monitoring publications restricts inmates' knowledge of their rights. In terms of rational choice theory, the reported willingness of officers to accept inspections and the improvements in hygiene suggest that oversight can create incentives for compliance, but the incentive weakens when visits are infrequent and follow-up is slow.

Overall, the findings indicate that monitoring activities contributed to identifying problems and encouraging corrective action, while consistent follow-up, inclusive engagement, transparent communication and adequate resources were necessary to translate recommendations into sustained improvements in correctional management. The study was confined to four prisons in one county and most of the evidence on change is perceptual, so the findings should be generalised with caution.

5. Conclusion and Recommendations

5.1 Conclusion

The study concludes that independent penal monitoring bodies play a recognised but insufficiently effective role in promoting best practices in correctional institutions in Kisumu County. Their strategies of visits, complaint handling, recommendations, follow-up and information dissemination are in place and officers in charge acknowledged the value of inspections. However, only a minority of inmates interacted with the KNCHR (19.48%) or the CAJ (17.48%), visits were uneven across facilities and often rushed, complaints were not consistently followed up with timely feedback, only 16.34% of inmates reported improvements in conditions after visits and only 15.76% had accessed monitoring publications. The study therefore concludes that monitoring contributes to identifying problems and encouraging corrective action, but its impact on inmates' experience is limited by infrequent and non-inclusive engagement, slow follow-up, limited communication and resource constraints. Strengthening these aspects is necessary to realise a human rights-based correctional system.

5.2 Recommendations

The study recommends that independent penal monitoring bodies in Kenya adopt a more proactive and inclusive approach in their interactions with inmates and correctional institutions:

From a human rights-based perspective, monitoring bodies should prioritise regular and meaningful engagement with inmates to understand their perspectives, grievances and experiences, through increased visit frequency and transparent communication about the purpose and impact of visits.

Monitoring bodies and prison administrators should establish clear timelines for responding to complaints and recommendations and communicate progress to the inmates concerned.

The Kenyan government should allocate sufficient resources to support the KNCHR and the CAJ. Adequate funding and capacity-building can facilitate more comprehensive and victim-centred recommendation-making processes.

Monitoring bodies should enhance the accessibility of their published articles and reports to inmates by distributing materials within correctional facilities, conducting awareness campaigns and using inmate-friendly formats. Empowering inmates with knowledge of their

rights is essential to their active participation in addressing grievances and to fostering a culture of accountability within correctional institutions.

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