



**PACS**  
OFFENDERS CAN CHANGE

# CROSSOVER REPORT 2016-2023

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# INTRODUCTION

## 1.1 Introduction

Probation and Aftercare Service is a technical department currently in the State Department for Correctional Services under the Ministry of Interior and National Administration. Probation and Aftercare Service (PACS) principal mandates are the Constitution, Probation of Offenders Act, CAP 64 Laws of Kenya and Community Service Orders Act, CAP 93 Laws of Kenya. The Service is one of the key players in the criminal justice system and is charged with the responsibilities of management of non-custodial offenders in order to uphold public safety as well as facilitate the administration of justice. The specific responsibilities are: generation of social inquiry reports on offenders for courts, penal organs, and other Government agencies; supervision of non-custodial court orders; rehabilitation and reintegration of offenders; and resettlement of post-penal offenders.

The transformation agenda of the Probation and Aftercare Service (PACS) in the last seven years is underpinned by several programmes, projects, initiatives, and reforms which were implemented. Key among the programmes includes Probation Orders, Community Service Orders, Aftercare, Bail Information and Supervision, Power of Mercy, Victim Support Services, Special Needs Offenders, Alternative Justice systems, Diversion, Plea Bargaining, and re-sentencing. The development projects implemented include the construction of probation offices across the country, expansion of institutional infrastructure, and development of service delivery systems. Key among the reforms which were introduced and implemented are the review of the organizational structure and staffing levels and also the development of career progression guidelines, the introduction of a through-care model of offender reintegration and resettlement, the establishment of 9 probation stations and the institution of the establishment of satellite supervision stations.

The implementation of programmes, projects, and reforms were undertaken within the context and confines of the Constitution 2010, the Medium-Term Plans II and III of the Kenya Vision 2030, and the Strategic Plans for periods 2013 -2017 and 2018 – 2022. These are the blueprints that form the foundation upon which the country and the Service secure its transformation agenda. It is important to note that, many of the justice administration sector agencies-initiated change processes notably the Judiciary, Office of the Director of Public Prosecution (ODPP) the National Police Service (NPS), and the Kenya Prison Service (KPS) among others. Under these circumstances, it was imperative for PACS to come up with its own transformation initiatives given the dynamic

working environment works in. The detailed information on the transformative agenda shall be covered extensively in this report.

## **1.2 Background**

The need for organizational transformation in service delivery is deeply rooted in the previous Government's policy under the Result Based Management (RBM) approach which aimed at turning around the manner in which the Public Service was delivering services to citizens in a lethargic way. The focus was to be more on the delivery of results as opposed to processes. This being the thrust for every Government Ministry, Department, and Agency (MDAs), PACS had to embrace many reforms and initiatives which were introduced and implemented.

The role of the Service in service delivery in the administration of justice is dual in that, it provides services to the Executive and Judicial Arms of Government by supervision of offenders in the community and providing information to courts for the dispensation of justice, respectively. As envisaged in its vision, the Service is committed to ensuring a just, safe, secure and crime-free society through its work in the courts, offenders, communities, and victims of crime.

In matters of governance, the Service is a national service which is headed by a Secretary at the Probation Headquarters. PACS has decentralized offices for ease of enabling clients and citizens' access to services at 11 Regional Offices, 47 County Probation Stations, and 135 Probation Stations. During the period being reported, Probation Officers conducted **360,396** social inquiries and prepared and submitted reports to courts and other Government penal organs. Further, they supervised a total of **254,645** offenders serving non-custodial orders from 2016 – 2023. They also attended court on a daily basis and presented these reports before magistrates and judges. The reports informed the courts on the most appropriate sentencing option with special reference to non-custodial dispensation. The preparation of these reports involved assessing the risks and needs of offenders in order to ensure the safety of victims, the community, and offenders; and assisted in the preparation of appropriate rehabilitation, restitution, reconciliation, compensation, and treatment plans.

# MANAGEMENT OF NON-CUSTODIAL OFFENDERS

## 2.1 Probation Orders Programme

This programme forms the core of the Service's mandates and it is implemented under the Probation of Offenders Act Cap 64 Laws of Kenya. Probation Orders entail: conducting social inquiries on the backgrounds of offenders and compilation of information needed by courts of law in determining the suitability of sentences for specific offenders.



Probation Officer conducting a social inquiry, Makadara

During the reporting period, the Service prepared a total of **153,663** social reports to courts and other Government statutory organs; supervised offenders placed by the courts on Probation Sentences which range from 6 months to 3 years, at the same period, the Service supervised a total **60,840** offenders on Probation Orders. Under this programme, officers make follow-ups on those who have not been reporting to ensure that all warrants of arrest issued against them are dully executed. Officers normally visit the offenders in their areas of residence at least once every two months during the period of their supervision and rehabilitation.

**Table 1: Social inquiries**

Item Description	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	Total
<b>Probation Orders</b>	14,824	15,472	15,732	17,813	31,295	32,919	25,608	<b>153,663</b>
<b>Community Service Orders</b>	37,363	29,369	40,766	15,950	25,743	11,087	9,743	<b>160,041</b>
<b>Aftercare licensees</b>	842	853	494	163	187	94	72	<b>2,705</b>

<b>Bail Information and Supervision</b>	-	-	6,409	5,020	8,001	11,235	8,850	<b>39,515</b>
<b>Power of Mercy (POMAC)</b>	97	69	23	138	176	164	342	<b>820</b>
<b>Victim Support Services</b>	-	-	-	156	1,018	1,128	1,116	<b>3,418</b>
<b>Special Needs Offenders Programme</b>	-	-	-	718	2,166	1,387	720	<b>4,991</b>
<b>Alternative Justice System</b>	-	-	-	139	358	432	244	<b>1,173</b>
<b>Diversion</b>	-	-	-	5	67	88	101	<b>261</b>
<b>Plea Bargaining</b>	-	-	-	74	52	43	49	<b>218</b>
<b>Total</b>	<b>53,029</b>	<b>45,694</b>	<b>56,992</b>	<b>40,176</b>	<b>69,063</b>	<b>58,577</b>	<b>46,845</b>	<b>360,396</b>

**Table 2: Cases supervised**

ITEM DESCRIPTION	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23
<b>Probation Orders</b>	9,195	13,542	11,514	4,730	8,202	8,104	5,553
<b>Community Service Orders</b>	37,533	32,337	17,070	15,666	25,633	10,702	7,870
<b>Aftercare licensees</b>	942	1,006	560	92	54	37	40
<b>Probation Institutions admission</b>	87	186	149	101	68	98	163
<b>Bail Information and Supervision</b>	-	-	-	5,020	8,001	11,325	8,850
<b>Power of Mercy (POMAC)</b>	188	188	188	188	188	188	26
<b>Victim Support Services</b>	-	-	-	156	1,018	1,128	116
<b>Special Needs Offenders Programme</b>	-	-	-	718	2,166	1,387	720
<b>Alternative Justice System</b>	-	-	-	139	358	432	244
<b>Diversion</b>	-	-	-	5	67	88	101
<b>Plea Bargaining</b>	-	-	-	74	52	43	49
<b>Total</b>	<b>47,945</b>	<b>47,259</b>	<b>29,481</b>	<b>26,889</b>	<b>45,807</b>	<b>33,532</b>	<b>23,732</b>

### **2.1.1 Bail Information and Supervision**

This programme is implemented through the Bail and Bond Policy Guidelines of 2015. It entails: conducting social inquiries on the backgrounds of offenders for the generation of Bail Information Reports used in assisting courts in determining suitable bond or bail conditions for accused persons; supervision of those accused persons accorded reasonable bond terms subject to the officers' reports to ensure compliance to lay down bail or bond terms to guard against jumping bail/ absconding. During the period, the Service prepared a total of **33,106** Bail Information Reports and submitted them to courts.

### **2.1.2 Sentence Re-hearing and Re-sentencing**

This programme was introduced following the Supreme Court's ruling on the petition no 15 of 2015, Francis Karioko Muruatetu & others vs The Republic of Kenya. The Supreme Court ruled that the mandatory nature of the death penalty contained in Section 204 of the penal code was unconstitutional and ordered re-hearing and re-sentencing on all cases sentenced prior to this ruling.

The court further ordered that re-sentencing investigations and preparation of the Re-sentence Report be undertaken by the Probation and Aftercare Service thus giving birth to the programme. In this regard, the Service provided social advisory reports on cases totalling to **4,493** prisoners during this period.



Probation Officers in court perusing files, Winam

### **2.1.3 Diversion**

Diversion is the means of resolving criminal cases without resulting to full judicial proceedings. This allows quick disposal of criminal matters while providing benefits for the victims and the public. Under this programme which is spearheaded by the Director of Public Prosecutions (DPP), the role of the Service is to: provide social reports for appropriate diversion decisions; institute diversion programmes such as mentorship, counselling, rehabilitation, conciliation and reintegration among others; and supervise those offenders who have been accorded diversion provisions. During the period, the Service handled a total of **261** cases.



#### **2.1.4 Plea Bargaining**

Plea bargaining is implemented by the Director of Public Prosecution pursuant to Section 137(A) to 137(O) of the Criminal Procedure Code (CPC), Cap 75 Laws of Kenya. Within these provisions, the Service is required to: conduct social inquiries on offenders as well as victims and advise the court on the suitability of the placement of the offender under non-custodial supervision; if the offenders are placed on supervision the Service is expected to monitor and supervise offenders to the end of the term of the court order; and where there is a breach of the order, a report is made an application for a warrant of arrest is done while the court order is cancelled. During the period, the PACS handled a total of **218** cases.

#### **2.1.5 Victim Support Services**

This programme is implemented under the Victim Protection Act 2014. According to the Act, Probation Officers are among those defined as law enforcement agents. The Service as a victim service provider is expected to provide services at the courts which include provision of victim impact statement during bail hearings and sentencing. In this regard, therefore, the Service's role in the area of victim support programme is to: prepare and submit victim impact statement reports as requested by courts during the trial process and to carry out reconciliation, rehabilitation and psychosocial support services to the victims of the offenses. During the reporting period, the Service prepared a total of **2,418** Victim Impact Statement Reports and presented them to courts.

#### **2.1.6 Special Needs Offenders (SNOs)**

Special needs offenders are offenders with notable physical, mental, and/or psychosocial difficulties. These challenges impair their day-to-day ability to function within the confines of the justice system. The offenders have subjective and objective needs which require the Service's specific interventions in order to effectively navigate the justice system and /or be successfully rehabilitated and reintegrated back into society.

The following are the categories of special needs offenders:

1. Offenders with mental illnesses including substance use disorders,
2. Offenders with intellectual disabilities,
3. Children,
4. Physically challenged,
5. Female offenders,
6. Inter Sex,
7. Elderly and
8. Terminally ill.

The achievements made for the period include:

- Managed a total of **4,991** cases during the review period.
- Engaged in multiagency work with SNOs at the Mathari
- Developed guidelines for the management of SNOs
- Conducted research on the mental health needs of young offenders in 2022
- Enhanced security at MSW in Mathari Hospital
- Involved Probation Officers in the preparation of reports for use by Courts and ODPP in the diversion of leniency cases
- Conducted research in partnership with AICS on mentally disordered offenders
- Sensitized officers in Nairobi County on intersex offenders and substance use offenders



Young offenders at a Probation Hostel learning computer skills, Nairobi

### **2.1.7 Alternative Justice Systems**

The Constitution of Kenya 2010 envisages a society where everyone, regardless of race, creed, age or standing in the society can access fair, affordable, and above all, timely access to justice. Article 159 (2) Provides for the principles that shall guide courts and tribunals while exercising judicial authority and Article 159(2) (c) specifically recognizes the use of alternative justice systems (AJS) to resolve disputes as one of the guiding principles.

PACS, therefore, has a significant role in AJS and due to its close relationship to courts, the Service has always assumed supportive and coordinative roles. Specifically, during the period, the Service:

- Shared knowledge and experiences on AJS
- Documented and kept records of AJS implementation
- Ensured compliance and supervision of AJS outcomes

- Participated in the selection, appointment, and removal of AJS Panel members
- Popularized AJS through various platforms
- Identified and referred cases to AJS panels
- During the period, the Service handled a total of **1,173** AJS cases.



Probation officer consulting member of the community on a case, Kajiado

### **2.1.8 Probation Institutions**

The Service has 9 Probation institutions, that is, 6 Probation Hostels, 2 Probation Community Resource Training Centres (PCRTC), and 1 Staff Training Centre. Probation Hostels focus on providing a home away from home for needy and deserving offenders. The PCRTCs provide various courses for youths at risk for self-reliance and also provide social-psycho support to ensure they never engage in crime. During the period in review, **852** admissions were done.

### **2.2 Community Service Orders Programme**

This is the second principal programme within the Service's core mandates, it is implemented under the Community Service Orders Act Cap 93 Laws of Kenya. The programme entails the generation of community service social inquiry reports for courts to make decisions on Community Service Orders for certain categories of offenders; identification of suitable work projects for the offenders to be sentenced to work on and supervision and coordination of the CSO projects being implemented by the CSO offenders. During the period, a total of **146,811** offenders were committed to perform free, unpaid public/community work in various CSO projects were identified for implementation countrywide.

### **2.2.1 High Court Sentence Review**

The Service provides Sentence Review Reports to High Courts to facilitate review of cases for the release of non-serious offenders from penal institutions, whose sentences are of less than three (3) years in order to decongest prisons. Sentence review helps the Government cut down budgetary expenditures for managing convicted offenders within prison facilities. During the period a total of **19,845** reports were prepared and submitted to various courts of appeal.



CSO offender planting trees, Marmanet Forest

### **2.3 Aftercare**

This programme is implemented through an administrative and regulatory policy arrangement between the implementing agencies. Aftercare programme entails: provision of final home reports to the various statutory penal review boards to assist the boards to review the various offenders in order to make objective recommendations to the appointing authority; supervision of those offenders who have been released from the penal institutions on license before the completion of their actual sentences; reintegration and resettlement of those offenders with their immediate families, environment and the community in general and empowerment of the offenders for social and economic stability to prevent crime and avoid chances of recidivism. During the period, a total of 2,705 reports were prepared and submitted while a total of 2,731 ex-offenders were reintegrated and resettled within the family. There is a need of developing a legal and policy framework to govern a clear implementation of this programme.



Aftercare superviseses making juice, Mombasa

### **2.3.1 Reintegration CARE Model**

In order to address the emerging issues, PACS developed a community-driven, multi-sectoral and evidence-based approach to offender re-entry and reintegration which is supported by four key pillars: Coordination, Assessment, Reporting and Evaluation (acronym CARE). The main aim of this approach is to provide a strong linkage between the Service, the community and penal institutions so as to facilitate a smooth, integrated and well-co-ordinated return of offenders back to the community. The approach further seeks to address the hitherto disjointed and uncoordinated offender resettlement regime through in-depth engagement with offenders, building synergy, strengthened collaboration among stakeholders and increased public participation in the offender reintegration programme.

### **2.3.2 Power of Mercy**

The programme is implemented under the Power of Mercy Act, No. 21 of 2011, Section 22(2) Laws of Kenya. The Act provides for the release of long-term prisoners, including those serving life imprisonment, those on death row and psychiatric (special category) offenders. In the implementation of this Act, the Service prepares and submits detailed and objective reports to Power of Mercy Advisory Committee (POMAC) and supervises the conditionally pardoned offenders for period prescribed in the pardon instruments During the period, the Service prepared and submitted a total of 820 reports and supervised a total of 214 presidential pardonees.

# ADMINISTRATION AND STAFFING

## 3.1 Administrative Structure

The Service has its headquarters in Nairobi, and is headed by a Secretary. There are 11 Regional Director Offices, 47 County Probation Offices, 9 Probation Institutions and 135 Probation Stations. During this period, Career Guidelines for Probation Officers were developed and additional posts were created. The current establishment, therefore, consists of:

**Table 3: Current establishment**

Designation	Number
Secretary	1
Directors	6
Deputy Directors	24
Assistant Directors	94
Principal Probation Officers	389
Senior Probation Officers	676
Probation Officer I	712
Probation Officer II	1,902

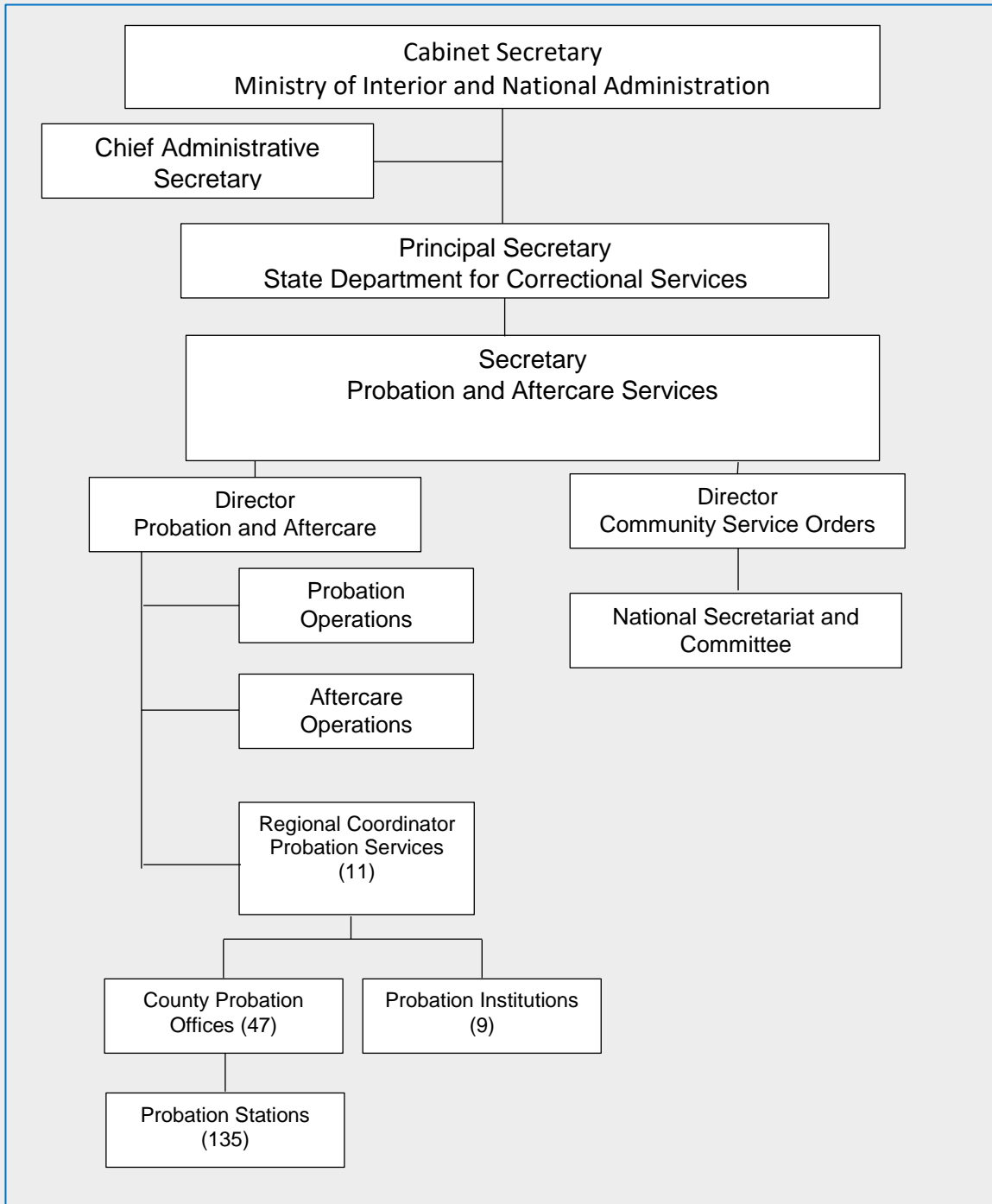
During the period, 600 Probation Officers were recruited in 2017 and in 2021, and were inducted through the Blended Induction Programme hosted at the Kenya School of Government.

Training manuals were also developed in collaboration with Egerton University for the Post Graduate Diploma Course for Probation Officers. In addition to technical staff, the Service engaged **5,300** Community Probation Volunteers up from 312 in 2016.

### 3.1.1 Capacity Building

During the period 600 Probation Officers were recruited in 2017 and 2021 and inducted. The Blended Induction Course for Probation Officers was developed together with the Kenya School of Government and supported by the UNODC under the PLEAD-I project. In collaboration with Egerton University Developed a Post Graduate Diploma Course for Probation Officers.

**Figure 1: Current organization structure**



**3.1.2 Transport**

The Service has 98 serviceable vehicles and 59 motorcycles against a total of 203 offices countrywide. As a field-oriented Service, this put tremendous strain on transportation and ultimately affected the timely delivery of services. PACS was not considered for the implementation of the transport policy on motor vehicle leasing for MDAs introduced in 2013, thus the Service has continued to manage an old fleet of vehicles some of which were found unserviceable.

During the period, 12 vehicles were boarded. Nonetheless, 12 vehicles were donated by EU/UNODC through the PLEAD Project. These have provided much-needed support in the focal County stations they serve.



Probation Officers making their way to field for social inquiries, Kajiado

### **3.1.3 Communication**

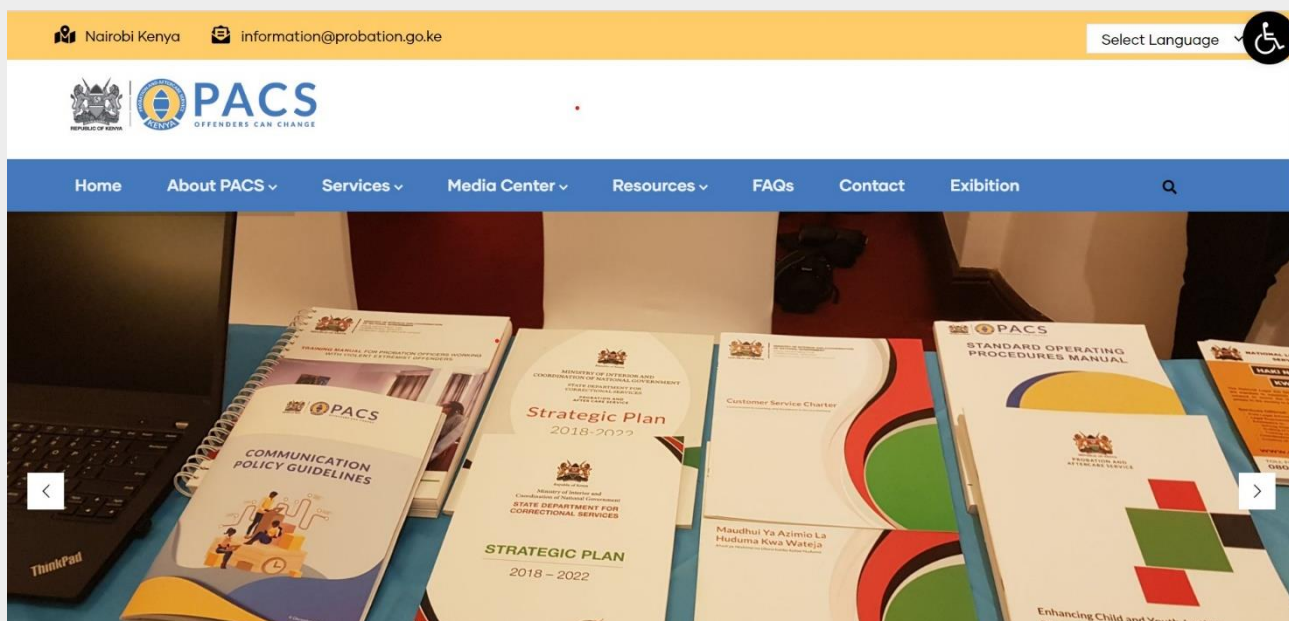
The Service over a period of time has been operating without a Communications unit, this highly affected the chain of communication flow of internal communications and lack of awareness in external communications. There was no centralized way of communication and information was being passed from one source to another in an up-hazard manner. During this period, the Service established and operationalized a Communications and Reporting Unit in December 2016.

The unit since its establishment has achieved the following:

- In collaboration with Brand Kenya developed PACS Brand and Branding Manual. Re-branded
  - Probation website
  - Letterheads and email signatures
  - IEC materials e.g. brochures
  - Banners, etc
- Developed and registered the departmental logo with the Kenya Industrial Property Institute
- Developed PACS Communication Policy Guidelines
- Developed PACS Communication Strategy
- Opened social media accounts, @ProbationKE as follows;
  - Twitter account opened in May 2019
  - YouTube account opened in May 2022



- Facebook Page opened in November 2022
- LinkedIn Page opened in November 2022
- Developed various publications
  - Customer service Charters
  - PACS Newsletter, quarterly
  - Brochures
    - PACS Brochure, PACS Children’s Brochure
    - Probation Programme Pamphlet and Probation Orders
    - Offenders Pamphlet
    - Community Service Orders Programme Pamphlets and Offenders Pamphlets
    - Community Probation Volunteer Pamphlet
    - Aftercare Programme Pamphlet and Offender's Pamphlet, etc



Probation website, [www.probation.go.ke](http://www.probation.go.ke)

### 3.1.4 Legal and Policy

During the period, the Probation of Offenders Act Cap 64 and Community Service Orders Cap 93 were amended. The Development of a National Correctional Services Policy which was a requirement and a target in the Kenya Vision 2030, remained as a target in all successive Medium-Term Plans (MTPs) for the Vision 2030. During the period, the Service significantly contributed to the development of the National Correctional Policy and also reviewed the Standard Operating Procedures (SOPs).

Also during the period 2016 – 2023, the Service finalized the implementation of the 2013 – 2017 Strategic Plan, developed, printed, disseminated, and

implemented the 2018 – 2022 Strategic Plan and developed a draft 2023 – 2027 strategic plan. The Service also finalized the implementation of the Second Medium Term Plan (MTP II), developed and implemented the Third Medium Term Plan (MTP III), and developed Fourth Medium Term Plan (MTP IV) for Vision 2030.

The new Children's Act 2022 has increased the level of criminal responsibility for children from 8 to 12 years and brought additional legislative roles for PACS such as conducting social inquiries for diversion, submission of preliminary social inquiry reports, supervising children placed on diversion, family conferencing with other stakeholders, aftercare supervision of children leaving institutions. These changes require mainstreaming in the policies and regulations governing PACS.

### 3.1.5 Finance

This section focuses on resources for the Service. It is important to note that, most of the financial resources for PACS are from the Government provided through budgetary voted provisions. The status of financial resources during the period is appended to this report.

**Table 4: Recurrent and Development Expenditures (In Kshs Millions)**

Item Description	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	Total
<b>Recurrent</b>	1,011.6	1,467.6	1,437.6	1,088.5	1,360.7	1,766.4	1,825.1	<b>9,954.5</b>
<b>Development</b>	79.7	117.2	117.2	18.2	56.2	26.4	129.0	<b>543.9</b>
<b>Total</b>	<b>1,091.3</b>	<b>1,584.8</b>	<b>1,554.8</b>	<b>1,106.7</b>	<b>1,416.9</b>	<b>1,792.8</b>	<b>1,954.1</b>	<b>10,501.4</b>

**Table 5: Recurrent- Personal Emoluments (PE) and Operations & Maintenance (O&M) (In Kshs Millions)**

Item Description	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	Total
<b>PE</b>	732.4	1,041.7	1,081.5	771.5	1,068.9	1,488.6	1,525.6	<b>7,710.2</b>
<b>O&amp;M</b>	279.1	425.9	356.1	317.0	291.8	277.8	299.5	<b>2,247.2</b>
<b>Total</b>	<b>1,011.5</b>	<b>1,467.6</b>	<b>1,437.6</b>	<b>1,088.5</b>	<b>1,360.7</b>	<b>1,766.4</b>	<b>1,825.1</b>	<b>9,957.4</b>

**Table 6: Development Expenditures (In Kshs Millions)**

Item Description	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	TOTAL
<b>Development</b>	79.7	117.2	117.2	18.2	56.2	26.4	129.0	<b>543.9</b>
<b>Total</b>	<b>79.7</b>	<b>117.2</b>	<b>117.2</b>	<b>18.2</b>	<b>56.2</b>	<b>26.4</b>	<b>129.0</b>	<b>543.9</b>

**Table 7: Appropriation In Aid (AIA) Collection (In Kshs Millions**

Item Description	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	Total
<b>AIA Collected</b>	4.5	N/A	N/A	2.4	1.4	3.8	3.7	<b>15.9</b>

During the period, a total of 30 projects were implemented while a total of 7 are still ongoing and are at various levels of completion. Detailed information on the specific projects implemented is illustrated in tables appended to this report.

**Table 8: Performance Contract Evaluation Rating**

Item Description	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	Overall Rated Performance
<b>Computed score</b>	2.785	0.2398	2.3582	2.607	2.836	2.836	Not due	
<b>Performance grade</b>	Very good(lower)	Excellent (upper)	Excellent(lower)	Very good (lower)	Very good (lower)	Very good (lower)		Very good

## PARTNERSHIPS

The Service in an attempt to complement Government financing of its programmes and projects in accordance with its mandate entered in to strategic partnerships with various donors, development partners and stakeholders. These partnerships enabled the Service to achieve most of its programmes, projects and activities as outlined in its strategic plans.

### **4.1 European Union/ United Nations Office on Drugs and Crime Eastern Africa (EU/UNODC) in the Programme for Legal Empowerment Aid Delivery (PLEAD)**

The cooperation enhanced PACS visibility, technical and operational capacity thus strengthening the ability of PACS to deliver on its mandate. Specifically, the partnership supported the review of policy and development of training manuals and curriculums for probation officers to address existing training gaps, harmonize skills, and provide officers with appropriate professional and technical orientation and competencies for effective service delivery. These include: Induction and Enhanced Training Curriculum and Manuals, Training manual for POs working with Violent Extremist Offenders, Community Probation Volunteers Curriculum and Training Manual, Standard operating procedures, practice guidelines, Monitoring and Evaluation Framework, Juvenile and Youth Justice Strategy, PACS Communication Policy, Guidelines and Strategy. The collaboration also provided operational and technical assistance enhancing PACS data analytics capacity through SPSS Data Analysis Programme for analysis of PACS data and offender data capture registers. PLEAD supported offender reintegration through offender empowerment and equipment support. The partnership further supported the execution of PACS functions by enhancing ICT infrastructure and expanding transport accessibility for field stations by providing 210 Laptops, 62 computers for stations and headquarters, 48 printers and 12 Toyota Hilux Double Cabin vehicles for field work.



## **4.2 Swedish Prison and Probation Service (SPPS)**

The seven (7) year (2015-2022) bilateral cooperation between Sweden and Kenya in the “capacity building project for strengthening prison and probation practices in Kenya” entrenched internationally recognized evidence-based assessment, interventions and case management in PACS. Over 800 trained POs acquired skills in Motivational Interviewing (MI) enhancing their ability to gather information and enhance client’s internal motivation for change; carrying out comprehensive risk and need assessments based on the Risk, Need Responsivity (RNR) model; and applying the Change Intervention Program for Probation (CHIPP) interventions to address each criminogenic need identified. Further sensitized managers gained requisite knowledge to support trained officers implement these evidenced based approaches in offender management. The practitioner manuals, training manuals, Risk Assessment Tool and Sentence Planning Tool were developed, piloted and rolled out. PACS has a pool of trainers in each area who can train colleagues and experts who can train conduct ToT. Further, these methods and tools were successfully integrated into PACS policy documents and curriculums. The overall outcome was application of modern evidenced based approaches in offender management leading to accurate assessment and classification of offenders, enriched report writing, interventions focused on criminogenic needs and greater observance of human rights in Probation practice. In addition, the project increased multi-stakeholder engagement on implementation of non-custodial measures and enhanced trust in non-custodial measures.

## **4.3 Raul Wallenberg Institute (RWI)**

The Raoul Wallenberg Institute (RWI) has been in partnership with PACS since 2015 in a cooperation whose aim is to enhance compliance with the UN Minimum Rules for the Treatment of Prisoners (Mandela Rules), UN Standard Minimum Rules for Non-Custodial Measures (The Tokyo Rules), UN Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (Bangkok Rules), and other relevant international standards. The cooperation has enhanced the capacity of PACS to meet relevant international human rights standards through training in human rights, motivational interviewing, risk need responsivity, human rights audits, research and policy development and law reforms. During the period, PACS gained trained human rights advisors, human rights trainers and trained researchers who are spearheading national efforts to enhance compliance to human rights.

## **4.4 International Corrections and Prisons Association (ICPA)**

During the period, the Secretary, PACS was appointed as a Board member of the steering committee on ‘Beyond Prisons: women and community corrections Taskforce’ as technical member in the field of correctional corrections. A Cost

Benefit Analysis on use of non-custodial measures for women was conducted during the period and the findings published.

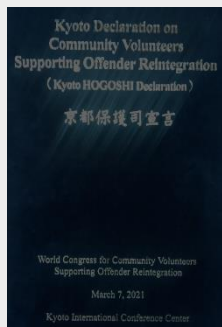
#### **4.5 National, Regional and International Engagement**

The Service was represented in the National Council on the Administration of Justice (NCAJ) which is established under the Judicial Service Act 2011 as a high – level policy making, implementation and oversight body comprising the state and non-state justice sector. The Secretary was a member of the NCAJ Council which is mandated to ensure a coordinated, efficient and consultative approach to the administration of justice in Kenya. The Service also has representation in the NCAJ sub committees and taskforces including; National Committee on Criminal Justice Reforms (NCCJR), Alternative Justice System, Court Users Committees, Anti – Corruption, Taskforce on review of laws and policies relating to sexual offences and Gender – based violence, and taskforce on NCAJ Bill.

The Service sits in the board of National Crime Research Centre, National Bureau of Statistics Data Committee and the National Police POLICARE committee.

Regionally, the Service has been active in the East African Community and others African countries. Agreements have been signed and others are being processed between PACS and Burund, Rwanda, Ethiopia, Tanzania, Uganda, South Africa focusing mainly on correction services, transfer of prisoners and probationers, and knowledge exchange and as subject expert trainers in Uganda and Tanzania.

Internationally, Kenya as a member state of United Nations has been participating in the United Nations Commission on Crime and Criminal Justice (CCPCJ) sessions. Within this period, PACS participated in three sessions, Vienna (2019), Kyoto World Congress (2021 virtual) and Vienna (2023). In all the sessions PACS co-hosted side events with other member states propagating the community Volunteer supporting offender reintegration. PACS participated in the drafting of the Kyoto Declaration on Community Volunteers supporting Offender Declaration of 2021.



The service engaged with many countries and probation officers benefitted from programmes including; knowledge exchange, fellowship and capacity building. The countries are; Australia, Denmark, Thailand, Japan, United Kingdom, Canada, commonwealth Professional Fellowship, Israel, Egypt, Congo and South Africa.

# PERFORMANCE

The Service has been performing exemplary good in matters of Performance Contracting and Staff Performance Appraisal System as well as ensuring the best performing officers were rewarded. Detailed information of the Performance Contracting and the Staff Performance Appraisal System scores are below.

**Table 9: Performance Contract Evaluation Rating**

Item Description	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	Overall Rated Performance
<b>Computed score</b>	2.785	0.2398	2.3582	2.607	2.836	2.836	Not due	
<b>Performance grade</b>	Very good(lower)	Excellent (upper)	Excellent(lower)	Very good (lower)	Very good (lower)	Very good (lower)		Very good

**Table 10: SPAS Status Performance**

Item Description	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	Overall Rated Performance
<b>Total number of staff</b>	926	1174	1163	1021	1031	1,580	1,565	Very good
<b>Number of staff signed targets</b>	881	1166	1122	1094	991	<b>1,565</b>	1,535	
<b>% level of achievement</b>	95.1%	99.3%	99.7%	96.47%	96.1%	99%	98%	

**Table 11: Projects Completed Projects 2016/18**

Project Title	Source of Funds	Contract date	Expected end date	The Project cost	Status of completion
<b>Construction Of Msambweni Probation Office</b>	GOK	30/ 7/2013	30/06/2018	8,000,000.00	(100%)
<b>Construction Of Makueni Probation Office</b>	GOK	30/7/2013	30/06/2018	14,500,050.00	(100%)

**PROBATION AND AFTERCARE SERVICE**

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