

**EFFECTIVENESS OF KENYAN COURTS IN ENSURING ACCESS TO
JUVENILE JUSTICE: A CASE STUDY OF SIAKAGO LAW COURT IN
EMBU COUNTY**

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ABSTRACT

High expectations have been placed on the Judiciary as the epitome of justice, it should therefore ensure that juvenile justice flows from within its courts even before other institutions follows suit. However the juvenile justice system seems to be failed, starting from the courts, despite the existence of a progressive legal framework in Kenya. In many instances, children who come into conflict with the law are treated in the same way as adults. The number of juvenile offenders is increasing and many children are not accessing justice even within the court corridors. The study evaluated effectiveness of Kenyan courts in ensuring access to juvenile justice, a case study of Siakago Law Court. The study was based on the following objectives: to evaluate existing guidelines on juvenile court process; to establish if courts adhere to the existing guidelines when handling juvenile cases; to establish whether the existing court infrastructure facilitates accessibility to juvenile justice; to ascertain whether Court staff is adequately trained to offer juvenile justice. The study was based on the following hypotheses: existing physical infrastructure of the courts in Kenya impedes access to juvenile justice; court staffs are not adequately trained to offer juvenile justice; existing guidelines on handling juvenile cases are not effectively implemented when handling juvenile cases in Kenya. Field research was undertaken at Siakago law courts. A purposive sampling method was used to collect data. The study selected 44 respondents. Questionnaires and interviews were utilized. The researcher employed quantitative and qualitative approaches for data analysis. The researcher made the following findings from the study; that the existing guidelines are effective to facilitate juvenile justice if adhered to; that Siakago law court does not fully comply with the guidelines when dealing with children cases; the existing physical infrastructure is not conducive for administration of juvenile justice and that the court staff are not trained on juvenile justice. The foregoing findings are core to the judiciary, Children in conflict with the law, their parents and the Judiciary staff among others. The study recommends that the Judicial officers presiding over Children cases and the court staff do adhere to the guidelines on juvenile justice; that the Judiciary does establish separate physical infrastructure incorporating holding cells for juveniles; and training on juvenile justice for the court staff.