Nairobi Report

UNODC City

SAFETY GOVERNANCE APPROACH IN URBAN ENVIRONMENTS FOR SAFE, INCLUSIVE AND RESILIENT CITIES
Report on the Urban Safety Governance Assessment in Mathare, Nairobi City

Pilot study

FOREWORD

In 2016, building on previous work on crime prevention, the United Nations Office on Drugs and Crime (UNODC) identified the need for more comprehensive, effective, and evidence-based interventions at the urban level to strengthen the resilience of communities to crime and violence, as well as to reduce their vulnerabilities to organized crime (including trafficking of persons, drugs, illicit financial flows, firearms, and counterfeit goods).

The Agenda 2030 for Sustainable Development recognizes that reducing conflict, crime, violence, discrimination and ensuring inclusion and good governance are key elements for people’s wellbeing and are essential for securing sustainable development. The international community acknowledges the importance and high priority that should be accorded to transformative change. In particular, the Sustainable Development Goals (SDGs) 3 (Good Health and Well Being), 4 (Quality Education), 5 (Gender Equality), 11 (Sustainable Cities and Communities), 16 (Peace, Justice and Strong Institutions), and 17 (Partnerships to achieve the Goal) are relevant in this regard.

As custodians of SDG 16 (Peace, Justice and Strong Institutions) UNODC developed and launched the Urban Safety Governance Approach. This global programme is responding to the need for in-depth understanding of how a wider set of localized risk factors interact with illicit external flows that give rise to challenges to safety, security and good governance. In order to achieve safer, more inclusive, better governed, and resilient cities a coordinated approach is required that addresses the relevant risk factors related to drugs, crime and violence. To create a safer urban environment and improve human security UNODC is pioneering in context-specific responses that seek to reverse risk factors to re-establish legitimate governance, reduce inequality, promote inclusion and resilience.

Innovation in inclusive and solution orientated approaches towards achieving the rule of law and promoting a culture of lawfulness are the foundation of sustainable societies. The crucial consideration of context accompanied by the participation of all stakeholders is the most effective approach to development with lasting impact. As we enter the decade of action, commitment to the prioritization of solutions that ameliorate the capacity of member states to maintain safe and peaceful societies will be a deciding factor in achieving the 2030 agenda.

Dr. Amado de Andres
Table of Contents

Summary ........................................................................................................................................... 1
Key Findings ...................................................................................................................................... 3
I. Background .................................................................................................................................... 8
1.1 UNODC’s Response to Urbanization and Risk .......................................................................... 8
1.2 What is the Urban Safety Governance Approach? .................................................................. 9
1.3 Methodology of the Urban Safety Governance Assessment ...................................................... 10
Context of Study Area .................................................................................................................... 12
I. Socio Demographics Indicators ................................................................................................. 16
2. Challenges for the provision of essential services (including public health and critical infrastructure) .................................................................................................................................. 23
3. Crime Incidence .......................................................................................................................... 25
4. Drug Use and Dependence ........................................................................................................ 26
5. Gender Analysis ........................................................................................................................ 29
6. Governance and Institutional Context of the City ..................................................................... 30
Urban Safety Profile of Mlango Kubwa ......................................................................................... 33
Priority Issues .................................................................................................................................. 34
Crime and Violence ....................................................................................................................... 34
Violence against Women and Girls ............................................................................................... 37
Drug and Alcohol Use .................................................................................................................... 39
Essential Services .......................................................................................................................... 44
Urban Governance ......................................................................................................................... 45
Access to Justice & Law Enforcement ............................................................................................ 46
Effect of COVID-19 Pandemic ........................................................................................................ 46
Programmatic Responses in the Community ................................................................................ 48
Crime ............................................................................................................................................... 49
Drugs ............................................................................................................................................... 52
Youth .............................................................................................................................................. 53
Recommendations .......................................................................................................................... 55
Annex I .............................................................................................................................................. 62
Methodology ..................................................................................................................................... 63
Key Informant Interviews .............................................................................................................. 63
In-depth interviews ........................................................................................................................ 63
Community Survey Methodology ................................................................................................... 64
List of Tables
Table 1: Crime and violence increase during COVID-19 pandemic ........................................... 47
Table 2: Groups perceived to respond to violence ........................................................................ 49
Table 3: Demographic characteristics by gender .......................................................................... 64

List of Figures
Figure 1: Population Growth for Kenya and Nairobi from 1979 to 2019 ................................. 16
Figure 2a: Population Density for Nairobi Sub-Counties ............................................................ 17
Figure 3: Population distribution by age for Nairobi and Mathare. Source 2019 Kenya
Population and Housing Census Volume III .............................................................................. 18
Figure 4: Highest Level of Education Attained in Mathare. Source: 2019 Kenya Population
and Housing Census Volume II ................................................................................................. 19
Figure 5: Dropout rate versus illiteracy rate in Mathare and Nairobi. Source 2019 Kenya
Population and Housing Census Volume IV .............................................................................. 19
Figure 6: The Employment Status for Nairobi and Mathare Population by Gender.
Source: 2019 Kenya Population and Housing Census Volume IV ............................................... 20
Figure 7: Percentage of Individuals in Mathare & Mlango Kubwa Working for Pay vs. No Formal Work ......................................................................................................................... 21
Figure 8a: Unemployment & Education in Male-headed households, Figure 8b:
Unemployment education in female-headed households .............................................................. 22
Figure 9: Annual crime frequency in Nairobi County in 2016, 2017 & 2018 ............................ 25
Figure 10: Proportion of different types of offences in Nairobi. Source: 2018 Annual Crime Report ........................................................................................................................................ 26
Figure 11: Knowledge of Psychoactive Substances of Use. Source NACADA (2017) Rapid
Situation Assessment of Drugs and Substance Abuse in Kenya ............................................... 28
Figure 12: Perceived perpetrators of Crime and Violence as captured from In-depth Interviews ........................................................................................................................................ 36
Figure 13: Reasons for not reporting crime .................................................................................. 37
Figure 14: Perception of prevalent forms of VAWG- IDIs ............................................................ 38
Figure 15: Perception of most used substances - IDIs ................................................................. 40
Figure 16: Effects of Alcohol and Drug Use ................................................................................. 43
Figure 17: Poor social service delivery ....................................................................................... 44
Figure 18: Effects of COVID-19 Pandemic ................................................................................ 48
Figure 19: Types of Police Corruption ....................................................................................... 50
Figure 20: Community Survey Respondents Highest Level of Education ............................... 65
Figure 21: Community Survey Respondents Employment Status ............................................. 65

List of Images
Image 1: Group of children participating in a sport activity organized by a non-governmental
organization ................................................................................................................................. 11
Image 2: Chang’aa (illicit brew) brewing along Mathare River ................................................. 41
Image 3: Chang’aa (illicit brew) brewing along Mathare River ................................................. 42
## List of Acronyms and Abbreviations

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>ADA</td>
<td>Alcohol and Drug Abuse</td>
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<tr>
<td>ASRH</td>
<td>Adolescent Sexual Reproductive Health</td>
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<tr>
<td>CS</td>
<td>Community Survey</td>
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<tr>
<td>GBV</td>
<td>Gender Based Violence</td>
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<tr>
<td>IDI</td>
<td>In-depth interview</td>
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<td>IDP</td>
<td>Internally Displaced person</td>
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<td>IPOA</td>
<td>Independent Police Oversight Authority</td>
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<td>IPV</td>
<td>Intimate Partner Violence</td>
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<td>KDHS</td>
<td>Kenya Demographic and Health Survey</td>
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<td>KIHBS</td>
<td>Kenya Integrated Household Budget Surveys</td>
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<tr>
<td>KII</td>
<td>Key Informant Interview</td>
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<tr>
<td>KIPPRA</td>
<td>Kenya Institute for Public Policy Research and Analysis</td>
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<tr>
<td>KNBS</td>
<td>Kenya National Bureau of Statistics</td>
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<tr>
<td>KPLC</td>
<td>Kenya Power and Lighting Company</td>
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<tr>
<td>LGBTQI</td>
<td>Lesbian Gay Bisexual Transgender Queer Intersex</td>
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<td>MoH</td>
<td>Ministry of Health</td>
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<td>MoE</td>
<td>Ministry of Education</td>
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<td>NACADA</td>
<td>National Authority for the Campaign Against Alcohol and Drug Abuse</td>
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<tr>
<td>NCC</td>
<td>Nairobi City County</td>
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<tr>
<td>OCS</td>
<td>Officer Commanding Station</td>
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<tr>
<td>PWD</td>
<td>Persons with Disability</td>
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<td>SDG</td>
<td>Sustainable Development Goals</td>
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<td>SGBV</td>
<td>Sexual Gender-Based Violence</td>
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<tr>
<td>SRHR</td>
<td>Sexual Reproductive Health Rights</td>
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<td>UN</td>
<td>United Nations</td>
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<td>UNHCR</td>
<td>Office of the United Nations High Commissioner for Refugees</td>
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<td>UNODC</td>
<td>United Nations Office on Drugs and Crime</td>
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<tr>
<td>VAWG</td>
<td>Violence Against Women and Girls</td>
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<td>WASH Water</td>
<td>Sanitation and Hygiene</td>
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EXECUTIVE SUMMARY
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Most of the world’s population currently resides in cities. This is expected to grow to two-thirds of the population, or an estimated six billion, by 2050\(^1\). Intricately linked with increases in economic and social development, urban areas are associated with anywhere between 55 and 85 percent of national Gross Domestic Product (GDP)\(^2\). However, alongside all the growth and advancement taking place in urban areas, some cities across the globe are undermined by chronic insecurity, violence, and corruption, which are often connected to crime challenges originating beyond urban boundaries.

While local governments are on the frontline when it comes to managing security, and responding to the inhabitants of a city, the security challenges of individual cities are increasingly a result of the intersection between local vulnerabilities and illicit flows from across national borders. The Urban Safety Governance Approach emphasizes the need for an in-depth understanding of how a wider set of localized risk factors interact with illicit external flows to give rise to challenges to safety and good governance. It highlights the need for context-specific responses that seek to reverse risk factors to re-establish legitimate governance, reduce inequality, and promote inclusion and individual and community resilience. The approach provides policymakers a framework within which to address an intersection of global threats and local dynamics to build resilience.

From February 2020 to July 2020, UNODC conducted an Urban Safety Governance Assessment in the city of Nairobi, in Mlango Kubwa, a ward in Mathare sub-county. Mathare is one of the largest informal settlements in Nairobi. Similar to other informal settlements, its vulnerabilities include insecurity, overcrowding, poor housing, lack of access to essential services, and elevated exposure to environmental hazards. Therefore, the selection of Mathare as a case study is intended to provide a starting point for the over 180 other informal settlements in Nairobi that house most of the residents of the city. In consultation with government counterparts and community members and local organizations, the research team decided to conduct a pilot survey in Mlango Kubwa a ward within Mathare.

The assessment aimed to identify local challenges and opportunities related to urban safety and good governance, determine priority areas of intervention, and develop appropriate strategies and policies to address identified issues using a

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\(^2\) UN Habitat, 2016, ‘World Cities Report’ (Nairobi : UN Habitat, 2016).
participatory, integrated, and inclusive approach. The findings of the assessment will be presented as recommendations for UNODC, UN partner agencies as well as Nairobi City County, and the National Government of Kenya.

Due to the COVID-19 pandemic, the planned methodology was modified in response to the Government of Kenya’s guidelines to limit the spread of the virus, and to consider immediate and evolving challenges experienced by the community. The assessment was therefore adjusted to utilize data collection methods that could be carried out remotely using mobile phones. The assessment included a community survey of 200 participants (quantitative data), 19 key informant interviews, and 30 in-depth interviews (qualitative data). Participants were selected to ensure views from all groups in the community were interviewed including the youth, men, women, persons with disabilities, the elderly, and members of the Lesbian Gay Bisexual Transgender Queer Intersex (LGBTQI) community.
KEY FINDINGS
KEY FINDINGS

- The assessment team found a limited availability of data at a local level on most core indicators, with a specific lack of data on violence against women and girls, crime and violence, drugs, and marginalized groups. Overall, data collection and reporting by various government organizations, including the criminal justice sector, county, and national government, and non-governmental organizations are not easily accessible or reliable (i.e. published consistently and employing valid data collection methodology). Furthermore, the granular data is not detailed at the ward level.

- Crime and violence, alcohol and substance use, violence against women and girls, and lack of essential services were identified by participants as their main concerns.

- Concerning crime and violence, most respondents during the assessment period from February to July 2020 felt that muggings, robberies, murder, and defilement of children were the most committed crimes in Mlango Kubwa.

- Illicit possession and access to firearms and related armed violence has been identified as a matter of concern to security agencies, with guns being a driver of violent crimes.

- In gangs, the role of girls is mostly to traffic weapons, drugs, and stolen items. They are also used to gather information and to lure victims.

- Participants reported that perpetrators of crime were young people and men, although increasingly girls and young women were getting involved in crime. The most vulnerable groups to crime were children, young people, and women.

- According to the interviews conducted, most of the respondents agreed that the drivers of crime were unemployment and poverty, peer pressure, drug use, and poor education.

- As pertains to drug and alcohol use, respondents reported that the most used substances in Mlango Kubwa are mainly alcohol, illicit brew, and marijuana. Respondents also highlighted that other drugs such as heroin, cocaine, and phenobarbital use have increased over the years. Those most vulnerable in the community are children and youth due to the normalization of drug and alcohol use the result of which is drug use from a young age.

- Violence against women and girls is also a key concern in Mlango Kubwa. Respondents felt that there has been a reduction in VAWG over the past few years due to sensitization programs run by the government and non-governmental organizations. However, they felt that it was still a major problem in the community and more programs were required.

- Essential services such as lack of piped water, improper refuse collection, and poor housing, which have a direct impact on health, were of most concern in the community.

- Key stakeholders interviewed highlighted unlawful killings and police brutality as a key concern in Mathare. In addition, they cited corruption of law enforcement officials
as a concern, particularly regarding reporting crimes, specifically VAWG, extortion of LGBTQI persons, and brewing of alcohol and dealing of drugs within the Mathare area.

- Key stakeholders interviewed emphasized a link between powerful figures, influential political figures, and alcohol brewing and/or drug dealing within and outside of Mathare, citing a lack of political will as a key barrier in holding drug dealers to account.

- On average community members interviewed through in-depth interviews have lived in Mlango Kubwa for 20 years which means that there is relatively minimal migration out of the community despite the harsh conditions. Several non-governmental organizations have been established by community members and these are trusted in the community. Although there are low expectations of government institutions, their authority within the community is very strong. The community in Mlango Kubwa has internal capabilities that may be harnessed to increase the safety and resilience of the area.

The assessment also established some of the responses by the state and non-state actors in addressing the issues outlined above and made recommendations based on the data provided by community members.
INTRODUCTION
INTRODUCTION

1. Background

The 2030 Agenda for Sustainable Development recognizes that reducing conflict, crime, violence, discrimination, strengthening health-focused responses, and ensuring the rule of law, inclusion, and good governance are key elements of people’s well-being and essential for securing sustainable development. Although the 2030 Agenda includes 17 Sustainable Development Goals (SDGs) with 169 associated targets which are integrated and indivisible, the assessment places special focus on Goals 3, 4, 5, 11, 16, and 17.

There is increasing recognition of the linkages between a range of risk factors and the fragility of cities. Negative forces of globalization, weak or distorted forms of local governance, and a set of conditions conducive to violence have created situations of human insecurity. These are interrelated; however, most research and policy work concentrate not on the intersections, but each of the factors in isolation. While each is important, the reality of the emerging safety challenge is to more effectively understand how these dynamics interact with each other, and what conditions will maximize safety and development opportunities for citizens.

In 2016, building on previous work done on community crime prevention, UNODC identified the need for more comprehensive, effective, and evidence-based interventions at the urban level to strengthen the resilience of communities to crime and violence, as well as to reduce their vulnerabilities to transnational illicit flows (including trafficking of persons, drugs, illicit financial flows, firearms, and counterfeit goods). With most of the world population expected to reside in cities by 2050, these challenges will only continue to become more acute in urban settlements world over.

1.1 UNODC’s Response to Urbanization and Risk

To respond to urban challenges, it is essential to develop more holistic, integrated strategies and interventions. UNODC, in close coordination with UN partners and non-state actors, is well placed to assist Member States to diagnose priority areas of concern and develop sound evidence-based interventions that seek to promote healthy, safe, inclusive, and resilient cities. UNODC understands the value of engaging with local stakeholders, alongside national actors, and empowering them with relevant tools and services as part of this process.

At the community level, UNODC, with the complementary expertise of UN agencies, has strong experience in preventing and responding to substance use, juvenile delinquency, gender-based violence, violence against children, enhancing access to justice, and promoting education for justice and peace. Over the last five years, UNODC has assisted local governments through

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3 https://sdgs.un.org/goals
Safety Audits in cities in Colombia, Mexico, and Kyrgyzstan, collecting and analyzing data, conducting participatory crime diagnosis to inform prevention policies and programmes linked to crime and victimization.

Building on this experience, UNODC conducted an Urban Safety Governance Assessment in Mlango Kubwa, in Mathare, Nairobi, to identify local challenges and opportunities related to urban safety and good governance. The assessment was conducted between February and July 2020, in partnership and close coordination with local stakeholders, community residents, leaders, criminal justice actors, and local officials with the aim that recommendations identified by the report would be taken on board by government officials and translated into policies addressing community concerns, as well as technical assistance solutions. The findings and recommendations outlined in this report are intended to inform the actions of the aforementioned stakeholders for implementation into existing or future projects.

1.2 What is the Urban Safety Governance Approach?

The Urban Safety Governance Approach emphasizes the need for an in-depth understanding of how a wider set of localized risk factors interact with illicit external flows to give rise to safety challenges. It highlights the need for context-specific responses that seek to reverse risk factors to re-establish legitimate governance, reduce inequality, and promote inclusion and individual and community resilience. The approach provides policymakers a framework within which to address an intersection of global threats and local dynamics to build resilience.

The Urban Safety Governance Approach is designed to lead to four main outcomes:

1. Identification of local challenges and priority areas of intervention
2. Integrated strategy and policy development
3. Enhanced capacity of officials and institutions at the local and national level
4. Greater coordination and partnerships between all stakeholders

The first step of the Urban Safety Governance Approach is the Urban Safety Governance Assessment. Using an integrated and participatory approach, the

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Urban Safety Governance Assessment supports local governments, and other relevant authorities, to identify institutional strengths and weaknesses, priority issues and develop strategies to prevent and address risks to urban safety and good governance.

1.3 **Methodology of the Urban Safety Governance Assessment**

The Assessment process consists of four key phases: (1) Planning; (2) Data Collection and Analysis; (3) Presentation and Validation of Results; and (4) Development of Strategies and Policies.

Data collection and analysis was divided into two stages. The first stage was to collect and analyze available secondary data. The secondary data was sourced online from governmental and non-governmental websites. Additionally, the team mapped out various stakeholders and requested published reports that were not available online. This data was analyzed to produce a baseline for the final report. By collecting secondary data, the team was able to determine the extent to which data is available and accessible and understand where the gaps lay.

The second stage of data collection was through primary data collection. It was envisioned that both qualitative and quantitative data collection would be collected through a number of methods including key informant interviews, focus group discussions, a household survey, as well as participatory mapping methods including community safety walks and building extraction and mapping of amenities.

However, due to the onset of the COVID–19 pandemic, planned methods for data collection were adapted to enable remote data collection, whilst also adhering to social distancing regulations set by the government and ensuring the safety of the community and the data collection team. Primary data collection was conducted through 19 key informant interviews via phone or online, 30 in-depth interviews with community members via phone, and a community survey of 200 community members also conducted via phone and online (see annex for further details on each of these methods). The Urban Safety Governance Approach also seeks to measure the resilience of a community especially during moments of stress and strain. The team, therefore, sought to modify questions to include the effects and response to the pandemic to understand how resilient the community is.
The available secondary data has been presented in the next section to provide an overview of the local context in Mathare before presenting the results of the primary data collection exercise.

Image 1: Group of children participating in a sport activity organized by a non-governmental organization.
CONTEXT
OF STUDY AREA
Map of Nairobi

5 Map Data © 2020 Google
Mathare is one of Nairobi City County’s oldest informal settlements. A sub-county made up of five sub-locations (Huruma, Kianaiko, Mabatini, Mathare, and Mlango Kubwa), Mathare is located 5-10 km to the northeast of Nairobi’s Central Business District and measures approximately 3 sq km and has a population of 206,564.

Map of Mathare

6 The terms slum and informal settlement are used in this report where slum refers to urban areas characterized by poverty and substandard living conditions whilst informal settlement refers to areas developed outside of planning regulations and legally sanctioned housing.


8 Map Data © https://reliefweb.int/sites/reliefweb.int/files/resources/CC0FA8800D90FE0E852573C9005A673F-unep_REF_ken080105_a.pdf
It has a spectrum of low-income neighborhoods with several sections classified as slums, including Mlango Kubwa. One of the most densely populated areas of Nairobi; the settlement has a history of crime and violence and is characterized by limited public services. High insecurity and access to basic services in the slums and informal settlements are issues of concern for residents.

Map of Mlango Kubwa

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9 Map Data © 2020 Google
Kenya reported the first COVID-19 case in March 2020 with Nairobi registering the highest number of cases. The Ministry of Health (MoH) introduced measures to curb the spread of the virus by placing restrictions on movement in and out of Nairobi County including a curfew as well as social distancing measures. The COVID-19 pandemic had both direct and indirect socio-economic impacts on the population, with those in slums and informal settlements such as Mathare being especially affected.

**Socio Demographics Indicators**

**Population**

According to the 2019 Kenyan census, Nairobi city has a total population of approximately 4.4 million consisting of approximately equal number of males and females and 245 Intersex persons. The proportion of the urban population living in slums and informal settlements in Kenya was reported at about 60% in 2018 according to a World Bank report. Figure 1 shows a similar trend pattern in population growth between the city of Nairobi and Kenya as a whole, demonstrating that the rate of population growth for Nairobi city has been double compared to the national percentage growth.

![Figure 1: Population Growth for Kenya and Nairobi from 1979 to 2019 Mathare has a total population of 206,564 consisting of 106,522 males, 100,028 females, and 14 Intersex persons.](image)

Figure 1: Population Growth for Kenya and Nairobi from 1979 to 2019 Mathare has a total population of 206,564 consisting of 106,522 males, 100,028 females, and 14 Intersex persons.

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10 2019 Kenya Population and Housing Census Volume I: Population by County and Sub-County p.7


12 2019 Kenya Population and Housing Census Volume I: Population by County and Sub-County p.7
Among 11 Nairobi sub-counties, Mathare sub-county has the highest population density as shown in Figure 2a and the population distribution across the 5 sub-locations in Mathare is presented in Figure 2b.

According to the 2019 Kenyan Population and Housing Census, the population pyramid for Nairobi County indicates that most of the population is concentrated between 20 to 34 years for both male and female. Mathare sub-county has a similar distribution as Nairobi County (Figure 3).
Overall, an estimated 46,000 refugees and 11,000 asylum-seekers reside in Nairobi. Formal population data on the urban migrant population that is inclusive of migrant workers, including those in an irregular situation is limited, owing largely to the challenge of collecting this information through official means. Research, however, shows that a significant number of refugees reside in the Eastleigh area of Nairobi; irregular migrants are known to live in other areas of Nairobi and have been cited as being dispersed throughout informal settlements across the city.

**Education**

About the highest level of education attained, data from the Kenya National Bureau of Statistics indicates that in Nairobi City County, 34% had attained secondary level education, 33% primary level, and 3% pre-primary level. Data from Mathare sub-county indicates similar proportions, where 34% had secondary level education and 3% had pre-primary level. However, a higher proportion, 45%, had primary level education. The sub-location of Mathare had the highest share of residents with a primary level of education, at 48%.

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During preparatory stakeholder meetings, the Urban Safety Governance Assessment team collected initial data on the significant presence of both primary and secondary schools with most in Mlango Kubwa and larger Mathare sub-county being privately run. Literacy rates provided by Kenya National Bureau of Statistics and data collected by organization Spatial Collective echo these findings.

Figure 4 shows the dropout and illiteracy rates in Mathare compared to Nairobi county in 2019- showing Mathare has a higher proportion of school dropouts. This is 20 percentage points above Embakasi West constituency, which has the lowest share of residents reporting only a primary level of education. Rates of absenteeism in Mathare are ten percentage points above the county average.
Employment

The employment status for Nairobi City County and Mathare sub-county population by gender is presented in Figure 6. About 80% of the population eligible for work reported being working during the 2019 census. Overall, about 21.9% of females compared to 16.5% of male population in Nairobi were unemployed. A similar proportion was observed for Mathare sub-county where 24.9% of females compared to 18.5% of male population reported not working.

Recent household-level data from Mathare\(^1\) indicates that 87% of residents are employed in the informal sector, either through casual labor or through small business, and only 10% of Mathare residents are formally employed, informal activities observed are casual jobs such as working in shops, construction, hairdressing, cleaning homes and washing clothes. Fewer than 40% can find employment outside of the Mathare.\(^2\) Data from the Kenya National Bureau of Statistics shown in Figure 7 indicate in the informal settlement of Mathare 45.5% work for pay, and 12.6% have no formal work and in the slum of Mlango Kubwa 49.0% work for pay and 12.5% have no formal work.

Data from the study further establishes in male-headed households, 14.6% of unemployed individuals had no formal schooling, 13% had a primary level schooling and 11.1% had a secondary and above level of schooling. In female-headed households 15.61% of unemployed individuals had no formal schooling, 15.47% had a primary level schooling and 13.84% had a

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\(^{1}\) Data obtained from the community survey and key informant interviews carried out in the process of the Urban Safety Governance Assessment.

\(^{2}\) Professor Jason Corburn et.al (2012), Mathare Zonal Plan Nairobi, Kenya Collaborative Plan for Informal Settlement Upgrading, Nairobi, Muungano Support Trust Slum Dwellers International (SDI) University of Nairobi, Dept. of Urban and Regional Planning University of California, Berkeley, Dept. of City & Regional Planning p.20
secondary and above level of schooling. This data demonstrates higher unemployment rates of female-headed households in Mathare constituency.

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Figure 7: Percentage of Individuals in Mathare & Mlango Kubwa Working for Pay vs. No Formal Work

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Poverty

The absolute poverty line in urban Kenya is an expenditure of approximately Ksh 3,250 per adult equivalent per month, excluding rent. A study in 2012 found that the average Mathare household earns about Ksh 8,500 per month, or US$100 (85 Ksh = US$1\textsuperscript{18}). Each adult in Mathare typically faces a monthly deficit of Ksh 3,000 (US$35), as expenses continue to outpace income.

Income distribution varies widely between sub-locations, with some residents earning less than Ksh 2,500 per month, and others earning upwards of Ksh15,000 per month. In the Mathare as a whole, 30% of the residents earn Ksh 5,000 or less per month, with low wages having the highest prevalence in Kiamaiko. Sixty-six percent of residents moved to Mathare for economic

\textsuperscript{18} Conversion as used in study, based on 2012 rates.
reasons, noting both affordable rent & employment opportunities (only 7% were displaced from another area)  

Challenges for the provision of essential services (including public health and critical infrastructure)

Electricity

About 71% of Nairobi is connected to electricity while 13.3% use a tin lamp. In Mathare, 74.6% of households have electricity while 15.4% use tin lamps. It is noteworthy that Hospital and Mabatini sub-location have only 54.1% and 53.1% connectivity to electricity and 37.2% and 32.4% respectively use tin lamps. These figures are significantly different from the county and sub-county averages.

Only 9% of residents have a formal, metered electricity connection, 68% tap into the electric grid informally and 22% have no electricity at all. Households pay an average of Ksh 403 (US$5) per month for electricity. Like most major informal settlements, Kenya Power and Light Company (KPLC) provide little to no access to electricity, and that which is available is intermittent. As a result, few individuals that have direct access to an electrical supply, supply residents with ‘illegal’ connections. These faulty connections often cause large fires and electrocutions within informal settlements. During preparatory stakeholder meetings in Mlango Kubwa, the urban safety governance team noted the presence of seven floodlights called “mulika mwizi”; or ‘to shed light on a thief’ in English. These interventions are a bid to increase public safety by increasing public lighting in areas with criminal activity.

Water & Sanitation

The three main sources of water in Nairobi City County are by water vendor (15.4%), water piped into the home (26.7%), and general access to piped water (30%). The proportions for Mathare are water vendors (13.6%), water piped into the home (16.6%), and general access to piped water (68.5%). In Nairobi City County averages for household access to improved sanitation, meaning, for example, connection to the main sewer was 87.9%. Comparably in Mathare, 88.9% had access to sanitation with 66.1% of households connected to the main

19 Professor Jason Corburn et.al (2012) Mathare Zonal Plan Nairobi, Kenya Collaborative Plan for Informal Settlement Upgrading, Nairobi, Muungano Support Trust Slum Dwellers International (SDI) University of Nairobi, Dept. of Urban and Regional Planning University of California, Berkeley, Dept. of City & Regional Planning p.20


21 Unverified article from 2005 states floodlights provided by “Nairobi City Council and a private firm”
sewer. 11.03% of Mathare had access to unimproved sanitation i.e., not connected to the main sewer and 8.4% of households in Mathare had access to pit latrines.\textsuperscript{22}

Water provision throughout Mathare Valley is generally either via standpoints or water kiosks. Only 11% of residents in the valley have private in-yard or in-house municipal water connections while the rest of the populations pay on average Ksh 2 for a 20-litre jerry can from private sellers. The geographic spread of water points is fairly good as 76.3% of the population in Mathare live within a 50-meter walk to a water point and 100% within the 500 meters that Sphere standards recommend. However, water points and toilets are often not functioning. Fieldwork carried out found that a single water point serves on average, 315 people which is above the emergency threshold of 250 as set by Sphere standards.\textsuperscript{23}

Furthermore, irregular water supply combined with long wait times has led to serious water access problems for Mathare residents. The high demand on the existing water system and poor maintenance has caused the system to frequently leak, leading to low-pressure flows and intermittent supply. Large numbers of illegal connections further contribute to low water pressure and contamination of clean water supplies. Long wait times are frequent at water points and this burden is felt disproportionately by women and children. Overall, the water supply is insufficient and irregular, quality is poor, and costs are obstructive to the poor. Ninety percent of residents do not have in-home piped water, and water quality and reliability are inconsistent, with frequent contamination from vandalized pipes and shutoffs.\textsuperscript{24} Many community yard taps are controlled by cartels and price spikes are frequent, especially during droughts. Unsafe, un-sanitary & unlit toilets are contributing to sexual violence against women at night across Mathare. Solid waste/garbage pollution is a major concern for residents.\textsuperscript{25}

**Health**

Data from OpenStreetMap show two major healthcare facilities with maternity services located in Mathare with two adjacent in Eastleigh, eight healthcare facilities (clinics) located in Mlango Kubwa, in addition to four chemists.\textsuperscript{26}

In Mlango Kubwa, similar to conditions in other informal settlements, the community residents are faced with inadequate sanitation which has a great impact on their health. The Kenya Demographic and Health Survey\textsuperscript{27} provides crucial data on the health situation but this data is not analyzed at the sub-location level. Therefore, the availability of health data at a local level of Mlango Kubwa is limited. Teenage pregnancies and unsafe abortions are prevalent among

\textsuperscript{22} Professor Jason Corburn et.al (2012) “Mathare Zonal Plan” (see page 36, footnote 14)

\textsuperscript{23} Ibid.

\textsuperscript{24} Ibid. p.36

\textsuperscript{25} Professor Jason Corburn et.al (2012) “Mathare Zonal Plan” (see page 37, footnote 14)

\textsuperscript{26} Open Street Map (2020) Retrieved from: "Map data copyrighted OpenStreetMap contributors and available from https://www.openstreetmap.org"

\textsuperscript{27} Conducted by the Kenya National Bureau of Statistics in partnerships on a quinquennial basis.
school-going youth in Kenya and is a great concern among residents of informal settlements like Mlango Kubwa. However, this data is not readily available especially at the local level such as Mlango Kubwa.

**Crime Incidence**

The Annual Crime (2018) report by the National Police Service shows, in the year 2018 there were 88,268 reported cases as compared to 77,992 in 2017 which was an increase of 10,276 cases (13%). In 2016, there were 76,986 cases reported to police which increased to 77,992 in 2017 translating to an increase of 1,006 (1%). Incidences of crime that have been on an upward trend include defilement, assault, general stealing, creating disturbance, possession of drugs for personal use (Cannabis Sativa), and malicious damage.

![ANNUAL CRIME FREQUENCY IN NAIROBI COUNTY IN 2016, 2017 & 2018](image)

Figure 9: Annual crime frequency in Nairobi County in 2016, 2017 & 2018

Figure 10 shows the proportion of different types of offences in Nairobi with other offences against persons being the most common followed by stealing. In the period under review there were increased cases under the categories of offences against morality 1,741 cases (31.7%), Other Penal Code Offences 1,181 cases (17.4%), Criminal Damage by 521 Cases (12.2%), Other Offences against Persons by 2,534 cases (11.3%), Economic crimes by 405 cases (11%), Stealing by 1,189 cases (10.2%) and Robbery 222 cases (8.2%).

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28 As reported in National Police Service, (2018) Annual Crime Report, the crime of stealing reported generally without specifics

During the period under review of 2018 for the analysis of this report, 192 firearms were recovered and 19 surrendered in Kenya. Most of the firearms recovered were in Nairobi County, which recorded 121 recoveries. However, the number of illicit firearms in circulation is probably much larger. For example, in 2016, Kenya had reported 5300 seized firearms (388 in Nairobi County), and 9700 seized firearms in 2017 (275 in Nairobi County) through the UNODC Monitoring Illicit Arms Flows Initiative. The different figures provided leads to the conclusion that internal reporting mechanisms on illicit firearms seizures and possession are not in place or do not work properly, and that further data collection and research is needed.

The Global Study on Firearms Trafficking 2020 also highlights that prices in the illicit market were relatively low in Kenya, including prices of high-powered weapons such as battle rifles and assault rifles, which also may be due to high availability.

Disaggregated data on the legal justification for the seizure and the types of suspected offences linked to the seizure of the firearm is needed for more recent years. Yet, the analysis of historical data provided by Kenya to UNODC in the past years, highlights that most of the seizures are linked to weapons offences such as illicit trafficking, followed by violent crimes,

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30 Ibid., p. 6
including homicides. Illicit firearms are important aggravating factors of crime and violence, both as tools to carry violent crimes and to exert control (extortion, corruption, etc.) and as commodities for illicit trafficking. Moreover, Nairobi has suffered serious terrorist attacks in the past years, linked to terrorist groups such as Al Shabab. Preventing that terrorists acquire weapons, and effectively investigating the financial flows of the seized weapons is crucial to effectively reduce violence.

The presence of illicit firearms also contributes to aggravating the impact of gender-based and domestic violence, increasing the risk that these cases end up in serious injury or homicide. Yet, further data is needed to examine the incidence of firearms in domestic and gender-based violence. During the period under review, there were a total of 148 reported cases of domestic violence cases, and 13% were reported in Nairobi County. However, there is limited reliable data on the level of domestic violence in Mathare.

**Drug Use and Dependence**

The growing global burden of substance use disorders cannot be overemphasized. The World Health Organization (WHO) estimates that the global burden of disease attributable to alcohol and illicit drug use amounts to 5.4% of the total burden of disease. Several studies have highlighted the serious nature of substance use in Kenya, ranging from alcohol and tobacco to cannabis, khat, heroin, and others. Kenyans generally hold positive attitudes towards consumption of substances such as cigarettes (73%), packaged liquor (72%), traditional brew (69%), other tobacco products (68%), and khat (54%). National Authority for the Campaign Against Alcohol and Drug Abuse (NACADA) conducted a survey on alcohol and drug use among secondary school students in Kenya (2016), which showed the following prevalence rates among students: Alcohol 9.3%, Prescription drugs 6.8%, Khat/miraa 5.9%, Tobacco 5.2%, Cannabis/bhang 3.7%, Inhalants 0.8%, Heroin 0.4%, Cocaine 0.4%. According to the study, the age between 13 to 15 years was the most critical period for the students in secondary schools to initiate alcohol and drug use.

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33 Ibid., p. 11  
In an assessment done in the then Starehe Constituency in 2014 by Community Anti-drug Coalitions of Kenya, women topped in the use of bhang (48 per cent), illegal alcohol (31 per cent), shisha (15.7 per cent), and hard drugs (20.1 per cent). The age group of 10 to 20 years topped the list of the respondents, who abused miraa (61 per cent), bhang (67 per cent), spirits (40 per cent), shisha (17 per cent) and hard drugs (17 per cent).

The use of “Miraa/bhang”, a local plant that is used by chewing the fresh leaves and soft twigs, is also widespread in Kenya. Alcohol and drug abuse (ADA) are estimated to be highest among young adults of ages 15-29 and lowest among adults of ages 65 and older. Alcohol and drug abuse cuts across gender, race, and nationality although more men than women are drug dependent or having drug problems. Drug dealers take advantage of high-stress situations,

35 Psychoactive substances as defined by the Government of Kenya.
36 Starehe constituency is an electoral constituency, parts of Mathare sub-location were part of Starehe constituency in 2014 and as such report details Starehe Constituency in findings.
37 Anyango Otieno (Standard Media), “In Mathare, drugs, alcohol and pregnancy go hand in hand”, 18 June 2018
including during a public health crisis like the current COVID-19 pandemic, to market their drugs to stress victims e.g., internally displaced persons (IDPs).38

Gender Analysis

Violence against women is endemic in Nairobi’s slums and settlements goes widely unpunished, and significantly contributes to making and keeping women poor.39 According to a global study by the Centre on Housing Rights and Evictions (COHRE) “...violence against women in the slums is rampant...and emerges as perhaps the strongest cross-cutting theme…”

A study by Amnesty International in Mathare indicates that women often do not report violence as a crime to authorities, immediate community, social and family networks, citing a lack of action by authorities concerning domestic violence. As a result of this, criminal surveys and studies do not fully capture the magnitude of violence against women and girls living in Nairobi’s slums and informal settlements. Women in focus groups cited poor police presence, and the need to overcome obstacles before even reporting the crime to police often involving perpetrators bribing police.

“I didn’t report it to the police. Even if I did, what good would it do? It wouldn’t change anything. Men can bribe the police, but most women don’t have the money to do so…” - Resident of Mathare (2010)41

Studies by Amnesty International show a prevalent link between daily mobility, access to sanitation services lack of public security, and sexual and gender-based violence in informal settlements citing; “inadequate access to essential services, particularly the lack of access to sanitation and public security significantly increases women’s vulnerability to violence.” 42

The study highlights the ever-present risk of gender-based violence because of the long distances they have to travel to reach toilets and other sanitation facilities, this has had an adverse effect on women’s security and their right to freedom from gender-based violence, they are often responsible for their children accessing these services as well, increasing the risk for themselves and dependents.43 Focus group discussions conducted for the Amnesty International study, entitled “Insecurity And Indignity; Women’s Experiences In The Slums Of Nairobi, Kenya”, detailed reports of sexual violence, mostly at night, however, women survivors stated they are vulnerable to violence and crime throughout the day. The study also found that in some instances when the police and other government security personnel have intervened or carried out security operations, they have reportedly committed human rights violations as

40 Ibid p.10
41 Ibid p.10
42 Ibid p.21
43 Amnesty International (2010) Insecurity And Indignity; Women’s Experiences In The Slums Of Nairobi, Kenya, United Kingdom, Amnesty International Publications, p.21
well. These have included cases of sexual and other forms of gender-based violence committed by the police.  

A rapid assessment conducted by the USGA team included an analysis of the current situation as pertaining to GBV/SGBV/IPV and VAWG due to the higher incidence of sexual offences in Kenya, reported by The National Council on Administration of Justice at a rate of 35.8% of criminal matters reported in the first two weeks of April 2020 directly linked to social restrictions to curb COVID-19.45 The rapid assessment included KIIIs with a range of key community workers, civil society actors, civil society alliances, local COVID-19 task forces, and NGO workers living and/or working in informal settlements in Nairobi. The interview process ensured inclusivity by including representatives of marginalised groups, out of the 9 representatives from various sectors key findings included a pressing need for safe houses at a community level, the presence of a poor network of safe houses in Nairobi with most safe houses only allowing a two week stay for victims of violence, a lack of arrests of perpetrators, limited to no presence of female law enforcement, a de-prioritization of SRHR and the secondary resulting impacts for women and girls, insufficient coordination of civil society organizations in a COVID-19 response on GBV/SGBV/IPV/VAWG and insufficient attention paid to the nexus between VAWG and PWD.46

**Governance and Institutional Context of the City**

**Governance Structure, City Level & Sub County Level**

Nairobi City County is one of 47 counties, each with a semi-autonomous government, as part of a devolution project that began with Kenya returning to multiparty rule in 1992. In 2013, the local city government was merged with the county, expanding Nairobi’s geographic boundary and political authority, while replacing the city mayor with a directly elected county governor. Nairobi is responsible for a range of portfolios often coordinated at the national level like health, education, and major transport infrastructure, but also for local government tasks like refuse removal and licensing. Sub-county government is made up of nine sub-counties, divided into 17 constituencies and a further 85 wards with locally elected leaders who form part of the County Assembly. These sub-city divisions participate in coordination, management, and supervision of general administrative functions at various local levels, participating in the development of policies and plans and coordinating development activities to empower communities.47

**Structure of Local Government**

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44 Ibid p.13-14
46 Key Informant Interviews; HIVOS, WGNRR, SRHR Alliance, Feminists for Peace, Rights and Justice Centre, Coalition for Grassroots Human Rights Defenders, TICAH, Akili Dada COVID-19 Civil Society Alliance, PWD COVID-19 National Taskforce, Uraia Trust COVID-19 Civil Society Taskforce.
County government consists of a county assembly and a county executive. The county assembly is composed of a member elected by voters from each ward; a number of special seats nominated by political parties to ensure that no more than two-thirds of the assembly comprises one gender; members of marginalized groups including people with disabilities and youth, nominated by political parties; and a speaker. The county executive comprises the county governor, deputy county governor, and members appointed by the county governor with the approval of the assembly sub-counties. The decentralization of county government functions and service provision to urban and non-urban sub-counties are provided for in the constitution and two principal Acts - the County Governments Act 2012 and the Urban Areas and Cities Act 2011.  

County governments: There are 47 each comprising an assembly and an executive. The members of the county assemblies (MCA) are directly elected from single-member constituencies and there are a number of special seat members to ensure that no more than two-thirds of the membership of the assembly are the same gender. There can also be provision for special seats for marginalised groups including persons with disabilities and youth. Each county has an executive committee consisting of the county governor and the deputy county governor and members appointed by the county governor, with the approval of the assembly, from among persons who are not members of the assembly. Members of a county executive committee are accountable to the county governor for the performance of their functions and exercise of their powers.  

Organized Local Government

National local government associations: Both the Council of Governors and the County Assemblies Forum represent the counties at the national level. Other local government associations: The Kenyan Association of County Government Officials is the professional body representing senior county administrators.  

Overview of Local Government Service Delivery Responsibility

The functions and responsibilities of the county governments are set out in the fourth schedule of the constitution. At county level, functions and powers include: agriculture, county health services (including primary, secondary, and tertiary health facilities and pharmacies, solid waste disposal); control of air and noise pollution; cultural and public amenities (including libraries, museums, sports, and cultural activities and facilities); county transport (including roads, street lighting, traffic control, public road transport, ferries, and harbors); animal control and welfare; trade development and regulation, county planning and development (including housing, electricity, and gas); education (including pre-primary, village polytechnics, childcare facilities); county public works and services (including water and sanitation services and storm water management systems), firefighting services and disaster management, control of drugs  


49 Ibid  

50 Ibid
and pornography and coordinating the participation of communities in governance at the local level. Functions and responsibilities related to security are not within the direct purview of county governments, rather are designated at the national level under The Ministry of Interior and Coordination of National Government. There is a public-private partnership law that allows the government to engage the private sector for the delivery of public services. This law also applies to county governments.\(^{51}\)

This assessment emphasizes the need for an in-depth understanding of how a wider set of localized risk factors interact with illicit external flows to give rise to challenges to safety and good governance. It highlights the need for context-specific responses that seek to reverse risk factors to re-establish legitimate governance, reduce inequality, and promote inclusion and individual and community resilience. The approach provides policymakers a framework within which to address an intersection of global threats and local dynamics to build resilience. This section describes the findings from in-depth interviews (IDIs), a community survey, and key informant interviews (KII). Data was analyzed to identify safety what risk factors and priority issues are of top concern in Mlango Kubwa. The study also seeks to understand the impact of the COVID-19 pandemic and the required intervention to improve the situation in Mathare sub-county.

The views of key informants such as defense advocates, magistrates, probation and prisons officials, chiefs, member of county assembly, and various civic leaders in the community are also captured in this section of the report (further detailed in the annex). Most of the data provided by key informants aligned with the views of the community members and served to validate these views. The findings are presented in order of priority issues as they were raised through primary data collection. The priority issues are crime and violence, violence against women and girls, drug and alcohol use, and inadequate provision of essential services. This is followed by a presentation of the effects of the COVID-19 pandemic and a short analysis of the national and county governments’ and non-governmental responses to these priority issues.

Priority Issues

Crime and Violence

Data from the 200 participants in the community survey, 19 key informant interviews, and 30 in-depth interviews cited the following as the main drivers of crime and violence in Mlango Kubwa.

Poverty and high rates of unemployment – the main driver of crime according to the community survey and in-depth interviews was unemployment especially among the youth. Most of those who live in Mlango Kubwa are casual laborers who are paid daily. Jobs mentioned include casual work such as working in shops, construction, hairdressing, cleaning homes, and washing clothes as reported from in-depth interviews with community members. The last three were mainly performed by women in the neighboring Eastleigh estate. According to interviews with key informants such as the magistrate, prison, and probation officials, they classify crimes committed due to lack of employment and an “exercise in criminalizing poverty.”

52 See annex for employment breakdown.

53 Stemming from the theory that the poor commit property crimes and low-level infractions in order to secure their basic survival and therefore any enforcement of these laws is thus a violation of their basic human rights and should be relaxed.
**Drugs and alcohol** – excessive drug and alcohol use was also pointed out as a driver of crime and violence. The availability and normalization of drug use in the community has made this a priority issue for residents of Mlango Kubwa. The intersectionality of drug and alcohol use and crime and violence will be discussed further in its own section below.

**Peer pressure** – especially for young people and teenagers, was suggested by respondents as another driver for committing crime. At the onset, teenagers come together because they require a sense of belonging. Historically, these groups transformed into criminal gangs and continue to recruit younger members. However, new gangs following a similar pattern continue to form periodically. Children start to engage in criminal activities from age 13. Respondents reported that crimes such as mugging, stealing, robbery with violence, and sexual assault were perpetrated by young people. They get into crime because of idleness and due to having no education or employment prospects, with most youth are interested in “easy money.” Although peer pressure is universal for boys and girls and young men and women, the difference is that some girls/women feel pressured into drug use and crime because they are in an intimate relationship with a partner that is already using drugs and committing crime. Most respondents felt that the majority of young people committing crimes were men and boys, but that young women and girls were also increasingly involved in the commission of crimes albeit at a lower rate. In gangs, the role of girls is mostly to traffic weapons, drugs, and stolen items. They are also used to gather information and to lure victims.

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This theory is not universally held by the Kenyan criminal justice system but it was brought up during interviews with the key informants that were members of the criminal justice system.

54 Young people for the purposes of this report refers to young adults i.e. 18 to 29. Children refers to anyone under 18.

55 This information is from the community survey and key informant interviews. It could not be corroborated with official crime data, as available data is outdated and only corresponds to the county level.
Respondents also reported that most perpetrators of crime were young people at 57.8% followed by men (over 30) at 18.2%. The most vulnerable victims of crime and violence were reported as children at 39.7% followed by young people at 26%.

**Poor upbringing/poor family dynamics** - also drive crime and violence. According to interviews, children brought up in a single-parent household are at higher risk of getting involved in crime. Parents need to work long days to feed their families and are therefore too poor to afford childcare and spend a lot of time away from their children. Interviewees indicated that young boys who grow up in a single-parent home (led by the mother) are especially prone to going into crime so they can help the mother supplement the family’s income. This dynamic is also exacerbated because of Kenya’s patriarchal society. Civic leaders that were interviewed opined that parents in Mlango Kubwa lack the resources, tools, and know-how to raise their children. Another risk factor at the familial level is domestic violence. Young people exposed to domestic violence are more likely to suffer from depression, be homeless, abuse drugs and alcohol, engage in risk-taking behaviour, and experience or use violence.\(^5^6\)

**Early school drop-out** - Many respondents said that lack of adequate education is a driver because most of the young people that commit crimes have dropped out of school at primary or secondary school level. However, some may still be enrolled in school but commit crimes while on school vacation. Those that drop out of school have few options in terms of employment and therefore turn to crime. This is closely tied with the reduced parental supervision and

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poor family dynamics because poverty means that when the child drops out of school\textsuperscript{57}, they have no supervision and if there are poor family dynamics these will increase risk factors leading to crime.

These are the main drivers that were mentioned by community members and key informants. Other issues tied to crime and violence mentioned through primary data collection was the problem of reporting crime and violence. Among the respondents who experienced any form of crime or violence, 54% did not report to relevant authorities such as the village elders, chief, or police.

\begin{table}[h]
\centering
\begin{tabular}{|c|c|}
\hline
Reason for not reporting crime & \%  \\
\hline
I feared they would not act & 22.2  \\
I did not have any proof & 13.9  \\
I was scared & 12  \\
Other Reason (specify) & 10.1  \\
It was a trivial offense & 3.8  \\
I feared they may demand a bribe & 3.2  \\
\hline
\end{tabular}
\caption{Reasons for not reporting crime}
\end{table}

The figure above shows the reasons, collected through the survey, why the community does not report crime to the police. The common reasons why the crimes were not reported were fear that no action would be taken (22.2%), lack of proof (13.9%) or they were scared (12.0%). 10.1% gave other reasons for not reporting such as: the assailant was not known, fear of the perpetrator, the process was too long, they had chosen to engage in other methods of resolution such as negotiation, the police were the perpetrators, or they were too angry to report. 3% of respondents said that they did not report because they considered the crime committed to be a trivial offense and 2.5% of the respondents thought relevant authorities may demand a bribe to convict the culprits.

**Violence against Women and Girls**

Violence against women and girls (VAWG) is a problem in Mlango Kubwa. Figure 14, below, features the most prevalent types of VAWG according to the IDIs. The most notable were physical abuse, domestic violence, and sexual assault. Economic abuse and psychological abuse were also reported. Although many respondents in the in-depth interviews felt that there

\textsuperscript{57} The evidence is clear that poor school performance, truancy, and leaving school at a young age are linked to juvenile delinquency See National research Institute, 2000, Education and Delinquency: Summary of a Workshop, National Academies Press.
had been a reduction in VAWG over the past few years, many respondents still felt that it was a major problem in the community. The reduction in cases was attributed to the sensitization and education surrounding women’s issues by government and non-governmental actors. There has also been an increase in availability of resources in the community following any violence.

Harassment in public spaces and poorly lit streets were often cited by respondents, with LGBTQI persons experiencing rampant sexual assault in public spaces. There has also been an increase in transactional sex because of the increase in unemployment and poverty in the COVID-19 period. For girls, the closure of schools means that there is reduced access to sanitary towels and a likelihood of increased rates of teenage pregnancies, HIV/AIDS, and unsafe abortion due to COVID-19. Due to the pandemic, there are also reports of an increase in young single mothers between the ages of 16 and 26 resorting to crime to provide for their children.  

Many respondents felt that domestic abuse was prevalent due to persisting patriarchal cultural norms of men being providers and women viewed as inferior to men and the normalization of

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58 Findings from key stakeholders in National Government, women’s rights activist based in Mathare and a consortium of NGO’s in Kenya focused on effects of COVID-19 on GBV.
violence against women. Due to these influences, it was found that the onset of violence against girls begins at a young age with young boys within the community as perpetrators.

Reporting of violence against women and girls, especially domestic violence, has increased because of available resources in the community. Respondents highlighted non-governmental organizations such as SHOFCO, Blue House, Médecins Sans Frontières (MSF) hospital, chiefs, and village elders as the main institutions that these types of crimes are reported to and where victims can receive medical attention and follow up, in the event, they decide to report the matter to the police. Other respondents felt that cases of rape are grossly under reported because victims are afraid and ashamed. They fear judgment from the community and the police if they go to report, emphasizing the need for deployment of female law enforcement officials to assist in cases sensitive to women.

Civic leaders highlighted overall poor access to justice for victims of VAWG/IPV/GBV/SGBV emphasizing interference by political figures and law enforcement officials in holding perpetrators accountable specifically in cases of femicide where the deceased is often shamed heavily relying on patriarchal societal structures. Often victims of rape are asked to present a witness upon reporting a criminal offence, barring victims from gaining justice. A civic leader cited a case where two commercial sex workers had been killed by clients since March 2020. Upon community leaders seeking justice for the crimes from local law enforcements officials, the official response they received was,

“Women like the deceased should have been arrested anyway, as they were the ones spreading COVID-19.”

Such statements demonstrate the tendency to shame the deceased rather than holding the perpetrator to account.

An activist and local opinion leader highlighted the death of a pregnant woman after curfew hours, which may have been prevented if civil actors did not face challenges in responding due to fear of police. There was also an emphasis on the need for deployment of female law enforcement officials to assist in cases sensitive to women. Lastly, the importance of the implementation of United Nations Security Council Resolution 1325 on Women, Peace, and Security\(^\text{59}\) was emphasized for sustainability of grassroots response and action.

**Drug and Alcohol Use**

Drug and alcohol use are considered a widespread priority issue in Mlango Kubwa. The community survey sought to establish the most used substance in Mathare. The results show that 92% of respondents perceived marijuana to be the most used substance, while the least used

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\(^\text{59}\) This landmark resolution reaffirms the important role of women in the prevention and resolution of conflicts, peace negotiations, peacebuilding, peacekeeping, humanitarian response and in post-conflict reconstruction and stresses the importance of their equal participation and full involvement in all efforts for the maintenance and promotion of peace and security.
was glue (8%). About 70% of the respondents reported that illicit brew\textsuperscript{60} was a commonly used substance, followed by alcohol (46%), khat (45%), cocaine (15.5%), heroin (15%), and kuber (8.5%).

Respondents believe that marijuana is dealt into the community from other parts of the country, it is preferred because it is affordable. Based on the perception of respondents, the second most used substance was illicit brew. Reasons cited for the high level of use were that it is very affordable and easily accessible because it is brewed locally along the riverbanks and then transported into other areas of Mathare and the wider Nairobi city. Phenobarbitals are becoming more prevalent because of the proximity to Mathare Mental Hospital. Other substances that are abused are glue and jet fuel (poured on a piece of cloth and inhaled). These are especially abused by children.

![PERCEPTION OF MOST USED SUBSTANCES](image)

Figure 15: Perception of most used substances – IDIs

Respondents pointed out several reasons why problem drug and alcohol use were prevalent in the community. Several reported that drugs and alcohol are used to deal with the stress of

\textsuperscript{60} Illicit brew is chang’aa which is a form of traditional alcohol that is brewed illegally and is unregulated and historically has contained many toxic substances to make it more potent. Alcohol is just formally brewed and regulated by the government i.e. beer, wines and spirits.
poverty and low employment rates. Seventy-four percent of the respondents of the community survey agreed that men are the major drug users. Most of the respondents agreed that it is easy to get drugs in the community (78.5%) and young people suffer most from using substances (90.5%).

Civic leaders cited the average age for the onset of the use of drugs and alcohol use as between 11-26 years old with the trends shifting toward an equal involvement by both boys and girls. They also highlighted that people between the ages of 17-40 years to be the main consumers of drugs and alcohol.

Children have increasingly started to use drugs with reports of those as young as 11 years old starting to use khat, marijuana, and glue. The availability of drugs and their use is normalized in the community, resulting in children being exposed to drugs from a young age. Some parents engage in the sale of marijuana or illicit brew and therefore view it as a source of income rather than a potential problem. Therefore, the availability and consumption of drugs like marijuana and illicit brew is normalized. Children and young people drop out of school/college, especially high school because parents cannot afford school fees or because of poor performance at the primary school level. Therefore, these children and young people are idle and end up dealing and selling drugs as runners and get involved in drug use. Those who drop out of school also tend to join gangs where drug use is part of the culture.

**Drug dealing**

On drug dealing, civic leaders noted that Mathare is the only territory at a city-wide level where many types of drugs can be readily found (primarily marijuana and cocaine) with powerful political figures ensuring protection of cartels. An opinion leader cited that in Mathare there

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61 An illicit consortium of independent organizations formed to limit competition and control the production and distribution of illegal drugs. They are responsible for bringing drugs into the country and distributing them to various criminal gangs who deal these drugs on behalf of the cartels.
is a “royal family” well known for drug dealing which has infiltrated the highest levels of law enforcement.

Drug dealing routes include the wealthier neighborhoods of Kilimani and Runda with civic leaders noting that within Mathare, the “urban terrain assists with drug dealing and crime, the rocky terrain makes it easier for criminals to evade law enforcement and hide”. Also, “in” routes⁶² aid in evading law enforcement with criminals committing crime on a major highway (Juja Road) and escaping to opposite parts of the territory, another major highway (Thika Road). Proximity to the city centre makes Mathare a crime haven according to an informant, criminals can easily commit crimes in the city and or surrounding environs and escape hastily to the informal settlement. The territories of Mlango Kubwa and Mathare No.10 and Juja Road have higher levels of criminal activities.

In terms of the flows in and out of the community, illicit brew is accessible because it is brewed within the community and exported to other parts of Mathare. Respondents said that specific drugs are dominant in different areas in Mathare. In Mlango Kubwa, marijuana and glue are commonly used while in other areas of Mathare illicit brew and other harder drugs are more commonly brewed and sold. For example, in an area known as Mabatini, illicit brew and marijuana are most brewed and sold but are also dealt back and forth to different areas. Historically, in Kosovo,⁶³ hard drugs such as heroin are commonly sold. However, in more recent times, drug zones are becoming decreasingly territorial, as the cartels have people, especially gang members⁶⁴, selling for them all over Mathare and other neighborhoods. Interviews with key informants such as the chief and village elders revealed that marijuana is dealt into Mlango

⁶² ‘in routes’ are narrow alleyways formed between tin shacks typically found in slums that connect to major highways enabling for easy escape from law enforcement officials.

⁶³ One of several villages in Mathare named after cities or countries around the world.

⁶⁴ Gangs and cartels are used interchangeably in this report both referring to an organised group of criminals.
Kubwa from Migori County and a specific type of marijuana called *shash* is trafficked in from Ethiopia.

**Effects of alcohol and drug use**

Respondents highlighted the main effects of alcohol and substance abuse. Figure 16 shows that it leads to various health issues, family breakdown, and even death.

![Figure 16: Effects of Alcohol and Drug Use](chart.png)

According to the community survey, about half (51%) of the respondents felt that police are not committed to fighting illicit substance use in Mathare and that they support illegal activities, especially the sale and dealing of drugs. Members of the community said corruption is one of the main reasons why they felt the police were not committed. Drug and alcohol use are strongly associated with crime and violence. Actors in the criminal justice sector that were interviewed suggested that more violent crimes such as sexual assault and robbery with violence have been linked closely with drug and alcohol use because the individual may be very inebriated thus causing an escalation in the use of violence during the commission of crime. This is also the case for domestic violence.
Most respondents of the in-depth interviews recounted that lack of piped water was a main concern. Most people must buy water from vendors because water supplied by the Nairobi City County is inadequate. Besides, the inadequate and inappropriate refuse collection has led to generally indiscriminate domestic litter disposal habits. This has seriously contributed to environmental pollution and ecological deterioration.

Housing is also a major problem that has far-reaching consequences. Civic leaders cited housing insecurity as a major concern for residents in Mathare specifically LGBTIQ persons that face common evictions, discrimination, and stigma as it relates to housing leading to homelessness and overall vulnerability. In addition, the exacerbation of safety and security issues with an emphasis on IPV, child abuse for young women, girls, and children due to housing insecurity, and a lack of safe houses as an essential service. This is heightened due to COVID-19, leading to victims having to remain with abusers in homes. PWDs also face the same hurdles in housing insecurity as it relates to IPV also face difficulties in access to sanitation.

As discussed in the urban context section of the report, the “estates” in Mlango Kubwa consist of tightly packed houses predominantly with walls made of corrugated iron sheets with a network of corridors for access. This presents several problems. The tightly packed homes are very small and house large families who cook and sleep in one room. Paid for toilets and bathrooms are few and serve many homes. They are difficult to access in the evening especially for...
women because it presents a hotspot for crime. Therefore “flying toilets”\textsuperscript{65} are common. A second issue is that the corrugated iron sheets are not effective at preventing the spread of disease. Communicable diseases such as tuberculosis are easily transmitted among neighbors, as iron sheets used to separate houses do not prevent aerosol transmission. Third, is that these homes are not secure, and break-ins are rampant. Police and other essential services do not reach some community members because of the tight network of corridors.

A civic leader noted most of electricity is supplied through the illegal means of tapping electricity providers’ main sources leading to rampant fires heightening issues of housing insecurity, safety, and overall security. There were reports that fires\textsuperscript{66} have burned down whole sections of the “estates” due to lack of access by fire trucks. Respondents also reported that police do not patrol within the estates because of the inaccessible nature of the corridors.

The respondents in the interviews stated that lack of access to quality affordable healthcare is of great concern to them. This was especially highlighted by women who suffer physical and sexual abuse. Notably, drug rehabilitation centers and drug treatment programs were scarcely mentioned in interviews and highlighted as a major area of concern because there are no centers or programs available in the community for those seeking rehabilitation.

**Urban Governance**

Opinion leaders highlighted poor implementation of policy and former urban initiatives due to a significant lack of political will and overall poor synergy between national and sub-county government officials. Highlighting key issues such as ward administrators\textsuperscript{67} often abandoning their roles seeing them as a national function, negligence, and de-prioritization by local governance authorities on issues affecting community residents, despite populations of informal settlements making up 65\% of the city’s population. As a result of these factors, local authorities often present a poor understanding of governance as it relates to informal settlements, an overall negative impact on local program implementation, and disjointed policies/priorities at a national level as it pertains to local planning and local issues affecting communities.

A local official underlined “security interventions are often misinterpreted by local authority officials as a law enforcement function, however, it is a governance issue” clearly identifying a need for capacity building at a local level amongst local authorities. Leaders highlighted broad negative impacts on improving community outcomes due to a silo-ed approach to governance and institutional transfer affecting the implementation of long-term programming besides funds mismanagement also being a main concern. Civic leaders, however, cited the success of community engagement in the implementation of the Constituent Development Fund

\textsuperscript{65} A facetious name for a plastic bag that is used as a simple collection device for human faeces when there is a lack of proper toilets. The filled and tied plastic bags are then discarded in ditches or on the roadside, or simply thrown as far away as possible.


\textsuperscript{67} Ward administrators are local authorities responsible for the coordination, management and supervision of the general administrative functions of the ward, facilitating and coordinating citizens' participation in the development of policies, plans and delivery of service.
(CDF) introduced in 2003 to support constituency-level, grass-root development projects. Finally, leaders highlighted communities’ efficacy and social capital emphasizing a need to strengthen community participation in the implementation of projects, the relationship between policymakers and community, policy implementation, and increased community participation in urban governance.

**Access to Justice & Law Enforcement**

Civic leaders highlighted access to justice and poor performance of law enforcement as some of the key issues in the informal settlement of Mathare, specifically, the selective application of justice within poorer communities and their cases often taking an inordinate amount of time in court. Another issue of concern was the use of enhanced surveillance to monitor and stifle civic participation. An opinion leader cited a case where law enforcement was aware of a protest government corruption planned in a local park; civilians were then met with heavy police presence before gathering. Also mentioned were enforced disappearances of activists and persons in the community often preceding killings, and general militarization of police, with a civic leader stating:

“when residents protested Black Lives Matter in Runda, no police brutality, but when Mathare residents protested killing of a 13-year-old boy, they were met with police brutality… when the state is violent it teaches the community to be violent to protect themselves.”

Human Rights Defender - Mathare

Witness tampering and intimidation of victims present a consistent pattern of not holding perpetrators accountable for committed crimes. A civic leader stated that 109 unlawful killings had been committed since March 2020, also that blackmail and extortion are often used as a form of intimidation towards LGBTIQ persons, often with law enforcement officials acting as accomplices in the crime. These issues lead to further distrust of the criminal justice system by community members and an overall sense of criminalization of the poor, with youth being the main target.

**Effect of COVID-19 Pandemic**

The assessment sought to establish, through the community survey, a snapshot of the effects of COVID-19 on the community. At the time of primary data collection (June 2020) measures had been taken by the Kenyan government to slow the spread of the virus. The government, after its first confirmed case on 13 March, banned public gatherings and subsequently added school closures and flight bans shortly after. Later in March, a dusk-to-dawn curfew was introduced and partial lockdowns of four counties with the highest infection rates – Nairobi, Mombasa, Kilifi, and Kwale. The government also directed that all public and private sector workers work from home, wherever possible. The views highlighted in this section seek to collect the effects of both the pandemic and the government responses over this three-month period.

The results in Table 1 below show that during this three-month period, 37% of the respondents observed an increased robbery in the area due to the COVID-19 pandemic, 34.5% of respondents reported increased mugging due to the COVID-19 pandemic, 14.5% reported increased burglary, 8.5% reported increased domestic violence, 13% of the respondents reported
increased substance abuse, 21.5% reported increased pickpocketing, only 1% of the respondents reported increased defilement, gang violence and rape due to COVID-19 pandemic. Data gathered through the in-depth interviews and key informant interviews validated these findings adding that there has also been an increase in transactional sex and prostitution.

Table 1: Crime and violence increase during COVID-19 pandemic

<table>
<thead>
<tr>
<th>Crime/Type</th>
<th>n</th>
<th>(%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Robbery</td>
<td>74</td>
<td>(37.0)</td>
</tr>
<tr>
<td>Mugging</td>
<td>69</td>
<td>(34.5)</td>
</tr>
<tr>
<td>Pickpocketing</td>
<td>43</td>
<td>(21.5)</td>
</tr>
<tr>
<td>Burglary</td>
<td>29</td>
<td>(14.5)</td>
</tr>
<tr>
<td>Police corruption</td>
<td>24</td>
<td>(12.0)</td>
</tr>
<tr>
<td>Domestic Violence</td>
<td>17</td>
<td>(8.5 )</td>
</tr>
<tr>
<td>Extrajudicial killings</td>
<td>12</td>
<td>(6.0 )</td>
</tr>
<tr>
<td>Violence against women</td>
<td>11</td>
<td>(5.5 )</td>
</tr>
<tr>
<td>Assault</td>
<td>7</td>
<td>(3.5 )</td>
</tr>
<tr>
<td>Sexual harassment</td>
<td>3</td>
<td>(1.5 )</td>
</tr>
<tr>
<td>Other</td>
<td>3</td>
<td>(1.5 )</td>
</tr>
<tr>
<td>Gang violence</td>
<td>2</td>
<td>(1.0 )</td>
</tr>
<tr>
<td>Rape</td>
<td>2</td>
<td>(1.0 )</td>
</tr>
<tr>
<td>Armed violence</td>
<td>1</td>
<td>(0.5 )</td>
</tr>
</tbody>
</table>

12%, 6%, 0.5%, and 3.5% of the population reported increased cases of police corruption, extrajudicial killings, armed violence, and assault while 1.5% of the respondents reported increased cases of sexual harassment and other forms of abuse/violence.

According to key informant interviews with the assistant chief and village elders, existing problems have continued to persist and worsen. Unemployment rose sharply and this affected livelihoods in an acute way. The stay home orders also increased incidences of domestic violence and defilement. Homes were no longer safe spaces. Due to school closure, children have been left unattended and are at a higher risk of defilement. They are also now getting involved in selling illicit brew and dealing drugs such as marijuana.

The effect of the pandemic has been to “expose the rot in the criminal justice system”, according to interviews with a defense advocate. Without the judiciary and other players, the police are abusing their powers. These come in the form of increased extra-judicial killings, (which
also led to civil unrest as communities protested this) and an increase in taking of bribes. Programs that usually support communities have been curtailed due to the pandemic. COVID–19 has also led to an increase in stress, anxiety, and trauma in the community. There is increased stigma in the community due to the pandemic. Those who are sick or suspect so choose not to get medical assistance for fear of getting quarantined away from their families - this is especially true for single mothers.

Figure 18: Effects of COVID-19 Pandemic

Due to COVID-19, casual jobs that are paid daily were rare, leading to further poverty. Some respondents reported that women have turned to sex work to make ends meet and men have turned to steal to do the same. Although some people were no longer engaging in criminal activities, the effect of the pandemic has been to go back to crime so that they may survive. “That is why you find somebody getting out, he/she does what he can because he/she feels that it is better to die of Corona than to die of hunger.” – Mlango Kubwa resident

Programmatic Responses in the Community

This section provides an evaluation of the various policies, programs, and strategies by government and non-government actors addressing the priority areas identified in the previous section. These include criminal justice sector actors like the courts, probation, and prisons. It also highlights activities by non-government actors that run programs in the community. In conducting the evaluation, the section highlights those programs, policies, and strategies that

68 13% of respondents in the community survey reported that there was a perceived increase in substance use. This may be attributed to the increased stress levels brought on by the pandemic therefore people turning to substances as a coping mechanism.
were most mentioned by the community members, grassroots leaders, and key opinion leaders as most effective and or relevant to give recommendations on gaps and resources required to improve program design and implementation. These views were collected through in-depth interviews and key informant interviews.

**Crime**

Respondents in the community survey reported that the most trusted actors were local authorities, international organizations, and community-based organizations.

<table>
<thead>
<tr>
<th>Table 2: Groups perceived to respond to violence</th>
<th>n (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community members</td>
<td>117 (58.5)</td>
</tr>
<tr>
<td>Police</td>
<td>60 (30)</td>
</tr>
<tr>
<td>Village elders</td>
<td>34 (17)</td>
</tr>
<tr>
<td>Other (specify)</td>
<td>22 (11)</td>
</tr>
<tr>
<td>Community-Based Organizations CBOs</td>
<td>18 (9)</td>
</tr>
<tr>
<td>Local authorities</td>
<td>16 (8)</td>
</tr>
<tr>
<td>NGOs</td>
<td>12 (6)</td>
</tr>
<tr>
<td>Civil Society Organizations CSOs</td>
<td>9 (4.5)</td>
</tr>
</tbody>
</table>

The majority (58.5%) of respondents in the community survey felt that community members responded to crime/violence, followed by police (30%), and village elders (17%). Community-based organizations (CBOs), Civil Society Organizations, NGOs, and local authorities were identified by 9%, 4.5%, 6%, and 8% of the respondents as being responders to crime in the community, respectively.\(^{70}\)

\(^{69}\) Although there is no technical difference NGOs and Civil Society Organizations are perceived differently in the community hence their separation.

\(^{70}\) This refers to dispute resolution with the chief or village elders as mediators. On occasion however, the community have responded to crimes with mob justice.
Figure 19: Types of Police Corruption

According to the community survey, most of the respondents agreed with the statement that neighbors cared for their safety against crime and that community participation helps fight crime, thus pointing towards some level of social cohesion within the community. About half (55%) of the respondents disagreed that it is possible to prevent people from committing crime. A majority (98.5%) of the respondents agreed that the community needs more crime prevention programs while about a half (54%) of the respondents felt that police are committed to fighting crime. Figure 25 above, however, shows complaints by the community in terms of how the abuse of power, bribery, and extrajudicial killings severely erode community trust in the police. However, a majority (95.5%) of the residents agreed that the community and police can work together to prevent crime.

Respondents in the criminal justice sector agree that most crimes that are committed in the informal settlements are survival crimes that are the result of high unemployment rates leading to poverty, illicit drug use due to its high availability, low levels of education, and peer pressure. The National Prosecution Policy launched the concept of Diversion in 2015\(^\text{71}\) as a means of resolving criminal cases without resort to full judicial proceedings. Diversion allows for the quick disposal of criminal matters, in appropriate cases, while providing benefits for the victim and the public. The concept was further developed through the publishing of the Diversion Policy by the Office of the Director of Public Prosecutions in 2019. This document “establishes a national standard for diversion to ensure that diversion is implemented consistently and fairly for all diversion cases. It describes how prosecutorial decision-making on diversion will be undertaken. It explains how prosecutorial discretion should be exercised and sets out how a

\(^{71}\) Office of the Director of Public Prosecutions (2019) Diversion Policy p.1
clear, rational, and principled examination of the public interest forms the basis of all decisions on diversion.\textsuperscript{72}

Children in need of care and protection is a policy anchored in Part X of Children’s Act No. 8 of 2001. This defines children in conflict with the law and especially those facing risk factors such as drug and alcohol abuse and poor family structure, among others, as children in need of care and protection. Children in need of care and protection are lumped with offenders, this is a failure in the Juvenile Justice system which exposes vulnerable children to harm. This means that these children should be referred to rehabilitation centers or moved to homes that remove them from immediate danger. The 2017 Children’s Bill is the last stages of approval allowing for sweeping changes which include raising the age of criminal responsibility from 8 years to 12, and Institutionalization and detention of children in conflict with the law pending trial shall be used as a means of last resort, and detention pending trial shall as far as practicable be replaced by alternative measures, such as placement with a family or in an educational setting or home. The courts work together with the Probation and Aftercare Services and Children’s Department to divert children from going to prison or borstal institutions\textsuperscript{73} and place them in rehabilitation or other services as required. In practice, however, this policy is not uniformly implemented by judicial officers and relevant actors. Furthermore, as with the diversion programs there is a huge shortfall of juvenile rehabilitation programs (especially those run by the state) or homes for rehousing besides Probation and Aftercare Services are markedly under-funded.

Civic opinion leaders emphasized strong social cohesion amongst Mathare residents particularly in fighting crime. Community arrests as a response are present with community members often knowing whom perpetrators are, however, there is poor follow-up by law enforcement officials after arrests leading to a lack of trust in criminal justice systems. However, some community members mentioned that community arrests lead to mob justice where alleged criminals are severely injured or killed.

Key stakeholders also highlighted continued non-state actor’s advocacy efforts within the community on social issues affecting safety and security specifically as it relates to VAWG, teenage pregnancies (SRHR), and S/GBV, in addition to gender justice mechanisms such as the provision of essential services and goods. Advocacy against police brutality was also emphasized as a response at a community level, sensitizing citizens to their rights through various in-person and online publications/ campaigns.

Civic leaders mentioned various capacity building and collaborative initiatives with law enforcement officials and stakeholders. Kenya Human Rights Commission runs an initiative in collaboration with IPOA to hold law enforcement officials who have committed unlawful killings to account, in addition to peer review mechanisms such as the African Commission on

\textsuperscript{72} Ibid.

\textsuperscript{73} An institution run by the government that is established by the Bortsal Institutions Act, CAP 92 where a person - who has been convicted of an offence punishable with imprisonment and has been found by the court, at the time of such conviction, to have attained the age of fifteen years but to be under the age of eighteen years - serves their sentence.
Human and People’s Rights holding the state accountable to human rights instruments ratified by the country. The Gay and Lesbian Coalition of Kenya similarly runs capacity-building programs with officers of commanding stations (OCS) at a city-wide level in collaboration with civil society actors on the rights of LGBTIQ persons, however, the organization cites institutional transfer as a consistent barrier to sustained programming.

Finally, local government authorities highlighted an inter-departmental committee at a county level and grassroots level on issues of safety and security by the Safer Cities Initiative, in addition to improvements by Nairobi City County (NCC) on road networks, street lighting, water, sanitation, and hygiene (WASH).

**Drugs**

The majority of respondents perceived that the problem of drug and substance abuse was greatly exacerbated by police inaction. Many felt that police corruption was a huge contributor to drug dealing because they perceive that those who supply drugs live outside the community and have high-level political connections that protect their illicit activities. This is true for marijuana and other hard drugs but not for illicit brew which is produced in the community. The community believes that they should work together with the police to curb drug and alcohol abuse. The chiefs and village elders have successfully worked together with the police and informants to seize drugs and drug dealers. However, this is highly sensitive and dangerous work especially for informants and village elders who can be compromised through police corruption.

Respondents reported that programs in Mathare do not focus on directly addressing the problem of drug and alcohol abuse. NACADA, a government body with the mandate to fight against drug and alcohol abuse was noted as having very low visibility in Mathare. Another problem is that illicit brew is a source of income for several families in the community therefore it is not viewed as being as harmful as hard drugs but as providing a livelihood for the community. Lastly, local grassroots leaders cited that rehabilitation centers are often located far from the Mathare neighborhood and are expensive facilities, proving to be inaccessible for the majority of Mathare residents.

**Illicit Firearms**

Another important finding is the concern about the presence of illicit firearms, which are a crucial aggravating factor for urban violence and criminality. As such, strategies and programs addressing violence in communities should also aim at reducing the availability, circulation and access to illicit weapons.

Yet, the analysis of this report highlights the need to strengthen data collection and analysis on illicit weapons. Increasing the understanding of the firearms issue is necessary in order to develop adequate responses tailored to the dynamics in its community. That should include understanding the illegal possession and the use of these weapons, as well as their illicit origin of the seized weapons, trafficking networks, associated corruption, linkages to other forms of
crime, etc. That research would facilitate optimizing the use of resources and capacities in the design of policy and operative responses and more effectively reducing the presence of illicit arms, and hence more easily combatting the associated violence and crime.

Effective responses to prevent and combat illicit arms flows and their incidence in urban violence and criminality should be holistic, including a strong legal and institutional framework, arms control capacities, enhanced capacities to detect, investigate and prosecute firearms trafficking responses.

**Youth**

Policies, such as *Kazi Mtaani*,⁷⁴ have assisted youth by engaging them and allowing them to make an income thereby limiting the amount of free time spent sitting around and reducing the temptation of substance use.⁷⁵ Although these opportunities are welcome and provided much needed relief for youth and subsequently the rest of the community, there were reports by respondents in the in-depth interviews of favoritism.⁷⁶ This is compounded by scarcity of opportunities in this program and poor sensitization by the government officials on the structure of the program. Scarcity of job opportunities especially those from the government leads to violence. There were reports of unrest⁷⁷ among youth because of these perceptions.

Non-state actors such as Ghetto Foundation, Mathare Social Justice, Ghetto Foundation, MSF (blue house), Futbol Mas, Shofco and Footprints for Change were the most mentioned for running programs within the community that have an impact. These programs mostly work in fighting against extrajudicial killings, sensitization on human rights, legal rights, and advocating against SGBV. Respondents felt that there were many programs focused on the youth and children but that they were not enough to fully tackle the problem.

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⁷⁴ The National Hygiene Program (NHP), dubbed *Kazi Mtaani*, is a national initiative that designed to cushion the most vulnerable but able-bodied citizens living in informal settlements from the effects and response strategies of the COVID-19 pandemic. It was conceptualized an extended public works project (EPWP) aimed at utilizing labor intensive approaches to create sustainable public goods in the urban development sector. Through this initiative, residents from informal settlements are recruited to undertake projects concentrated in and around informal settlements with the aim of improving the environment, service delivery infrastructure, and providing income generation opportunities. The first phase of *Kazi Mtaani* kicked off in April 2020 as a pilot program and focused on select informal settlements in 8 counties of Nairobi, Mombasa, Kiambu, Nakuru, Kisumu, Kilifi, Kwale, and Mandera. The program employed over 26,000 workers from informal settlements.

⁷⁵ NACADA published a report in which they sited among others, idleness as a driving factor for drug use at a young age. Therefore, providing employment for unemployed and idle youth responds to this factor. NACADA (2013) Trends and Patterns of Emerging Drugs in Kenya: A Case study in Mombasa and Nairobi Counties

⁷⁶ Interviewees spoke of nepotism being the main type of favouritism. Family members are the first to hear and benefit from all opportunities, meaning that other members of the community are consistently blocked from accessing these opportunities.

Civic opinion leaders, government officials, and leaders cited the presence of skill training programs through vocational training and up-skilling programs. There is a presence of Technical and Vocational Education and Training (TVET) centers in Mathare and neighboring Eastleigh neighborhood targeting young persons from Mathare and environs, in addition to mentorship programs by grassroots leaders, however, they are often poorly funded. Respondents also emphasized a strong network of organized youth groups that provide options for alternative livelihoods, advocacy on gender issues, SRHR, gender justice mechanisms, and overall existing mechanisms for community engagement.
RECOMMENDATIONS

Recommendation 1: Multi-sectoral and inter-ministerial approach to social programming with County Government Sector; Education, Youth and Social Services and in collaboration with relevant stakeholders and community members

- Promote and strengthen collaboration between interested stakeholders in social programming at a community level, including both the public and private sector, as well as CBOs and NGOs, especially youth and community organizations, and academia. Social programming can include, among others, skills training, vocational training, information sharing on substance abuse, SRHR, gender equality, armed violence prevention and reduction, and alternative livelihoods. These programs can be undertaken in collaboration with TVET and one-stop youth centers. Substance use prevention programmes need to be aligned by UNODC WHO International Standards on Drug Use Prevention.

- Support existing awareness-raising work of local institutions and organizations, in preventing VAWG through local advocacy and promote group-based workshops inclusively engaging young men and women to promote changes in attitudes and norms around women's and girl’s rights.

- The government, in collaboration with relevant stakeholders, should invest in improving capacity and access to comprehensive treatment centers for drug use disorders that are affordable and accessible for community residents. When community residents have access to drug rehabilitative services coupled with programmes to alleviate stigma, they are better equipped to ensure their loved ones can reintegrate positively into society and make informed choices as it pertains to drugs and substance abuse.

Recommendation 2: Data Collection

- The Kenya National Bureau of Statistics, The Department of Urban and Regional Planning (Urban Planning, Lands, Housing & Urban Renewal), and relevant stakeholders, specifically academia, should adequately invest in data and research, generating disaggregated indicators and reports at a local level that allow also to measure the achievement of relevant SDG indicators at local and national level. To this end, national and local authorities should also be encouraged to collect the different data with a view to participate in and submit such data through the existing global data collection mechanisms such as UNODC.

• Significant emphasis should be made in ensuring gender mainstreaming in data collection and analysis as the Assessment revealed significant gaps in data on issues specific to women and girls at all levels.

• Data should be collected by the relevant actors to track the efficacy of the policies and programmes discussed under recommendation 4 below.

Recommendation 3: Counter Youth Unemployment and Vulnerability

• Prioritize the co-design and co-implementation with young persons, relevant stakeholders, public and private sector actors of local programming focusing on alternative livelihoods to provide opportunities for the prevention of substance use, support the treatment process from substance use disorders and deter and crime.

• Work with existing youth organizations and successfully implemented community mechanisms in responses to youth unemployment, VAWG, child abuse, and advocacy to ensure the sustainability of interventions, adequate community participation, and ownership in addressing main issues of concern.

Recommendation 4: Strengthen Implementation of Existing Policies & Programming

In particular aspects related to drug and substance use response. In particular, strengthen implementation of MoH & MoE joint policy National Adolescent Sexual Reproductive Health Policy (ASRHP) prioritizing:

  o Strengthen the promotion of accurate information on the dangers of drug and substance abuse among adolescents through in- and out-of-school programs;
  
  o Support provision of medical, legal, and psychological services at all levels, including rehabilitation for adolescents with substance use disorders or problems in line with the UNODC WHO International Standards for treatment of people with substance use disorders;
  
  o Strengthen the involvement of adolescents, families, and communities in the prevention of substance use among adolescents in line with the UNODC WHO International Standards on Drug Use Prevention;
  
  o Support enforcement of relevant legislation on drug, alcohol, and other substance abuse amongst adolescents;
  
  o Establish multi-sectoral linkages, particularly with NACADA, for prevention and control of drug and substance abuse.

The government should prioritize the implementation of the ASRHP with adequate fiscal policy and budgetary allocation at a sub-county level. Also, it is essential to ensure community
and youth participation at all levels of decision making to ensure community participation, youth appropriate interventions, and community ownership.

- Support implementation of County Integrated Development Plan (CIDP, 2018-2022), increase access to affordable and quality housing, promote good governance, public participation, public space revitalization. Besides, there is a need for The Department of Urban and Regional Planning (Urban Planning, Lands, Housing & Urban Renewal) to support the urban design and public space policy and bill and the city-wide public space strategy. These public strategies will contribute to the protection of land from illegal allocations or use. This is especially important on the riparian land along the Mathare River where the local alcohol “changaa” is brewed. Enforcing legislation on illegal use of land will criminalize the manufacturing of the local brew on public land.

- Protect, improve, and maintain existing public open spaces to ensure the safety and security of the community particularly about sexual harassment/GBV/SGBV/physical violence in public spaces. In addition, invest in public spaces for the community to aid in civic participation and social cohesion. There are currently only two public spaces in the informal settlement, presenting challenges in investing in public space as a tool for crime prevention.

- Continue supporting work focused on land and corruption by:
  
  - Raising awareness to ensure that the land tenure rights are respected, protected, and fulfilled through holding constant civic education and legal aid forums.
  
  - Improving access to information amongst citizenry as lack of transparency permeates almost all aspects of land administration. This supports the previous point where citizens are aware of their rights and can subsequently access information that will allow full enjoyment of these rights;
  
  - Improving land records management such as land certification and registration systems so that they are transparent and easily accessible to citizens. This would also simplify the process and improve monitoring and coordination between actors.
  
  - Law and policy reforms that provide security of tenure for residents in informal settlements and benefit the residents. These reforms should also allow for the improvement of housing, infrastructure, and urban services through participatory physical planning and development of appropriate development standards and regulations that will facilitate improvement of access to basic amenities and services;
  
  - Continue to strengthen decentralization of decision making through further support of County Land Management Boards established by the National Land Commission to implement recommendations made above;

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7927 Nairobi County Integrated Development Plan (CIDP) 2018-2022, p. 56
• Support Implementation of the Diversion Policy by all stakeholders including the Office of the Public Prosecutor, National Legal Aid Service, the Judiciary through the National Council on the Administration of Justice and Judiciary Training Institute and any implementing partners. This can be done through:
  
  o Strengthening access to legal aid so that persons detained, arrested, suspected of, or charged with a criminal offence, as well as witnesses and victims of crime including survivors of gender-based violence can have better access to justice.
  
  o Providing information on the right to legal aid and what such aid consists of, including the availability of legal aid services and how to access such services and other relevant information, is made available to the community and to the general public in local government offices and educational and religious institutions and through the media, including the Internet, or other appropriate means
  
  o Conducting thorough sensitization on the Diversion Policy for all justice actors, including lawyers, paralegals and other legal aid providers, judicial officers, police officers, and the prosecution, as well as other stakeholders that are legal aid service providers.
  
  o A database should be built to increase the accessibility of programs that are available in the community.

• The government should prioritize law enforcement accountability by strengthening the current intervention by the Independent Policing Oversight Authority (IPOA), the Kenyan Human Rights Commission, and relevant stakeholders on police accountability for unlawful killings. Also, law enforcement agencies should ensure freedom of speech and the right to protest in unlawful killings of victims for residents of Mathare. Furthermore, relevant stakeholders, community members, and law enforcement agencies should co-create capacity-building programming that seeks to increase accountability and capacity building of local officers.

• Local and national government actors and law enforcement officials should strengthen access to justice in the community by supporting existing mechanisms to hold perpetrators of violence accountable, increase cooperation of law enforcement officials when reporting crimes, neighborhood patrols by gender-balanced law enforcement officials, improve reporting systems at police stations to decrease instances of discrimination and stigma of victims.

• Local administration and government officials, in collaboration with civil society actors, CBOs and NGOs should strengthen the relationship between policymakers and community, policy implementation, and community participation in urban governance/programming. For example, strengthening the existing Nairobi County safety and security councils, committees, and safer cities initiative.
• Ministry of Health should continue to support first responder mechanisms specifically community health workers and or volunteers (CHW/CHVs) at a grassroots level, particularly in response to community members as it relates to COVID-19. Besides, government agencies should strengthen first responder mechanisms for victims of violence against women and girls in collaboration with existing grassroots level responders in civil society groups.


• Support armed violence prevention programs and develop specific initiatives tailored to the context of the community to reduce the illicit circulation of firearms and their use to commit crimes and exercise violence. To that end, strengthen the data collection and analysis efforts on firearms related criminality and illicit arms flows to better understand the dynamics in the community and develop an evidence basis.

• Law Enforcement and Criminal Justice Officials should receive training on firearms control matters in order to reduce the risks of firearms being lost and diverted from State held stocks into the hands of gangs and criminals, as well as increase their capacity to detect, investigate and prosecute offences related to the illicit manufacturing, circulation and trafficking, as well as misuse of firearms, especially in relation to local gang criminality and drugs trafficking activities, and thus reduce their impact on crime and insecurity in the communities.

• Explore, including through focused research, the role and incidence of firearms and their illicit circulation and use, on violence against women and girls, as well as the role young women in particular play in facilitating their illegal circulation as a result of peer pressure and other circumstances, and as agents of change in promoting armed violence reduction initiatives, such as arm surrender campaigns, inter alia.

**Recommendation 5: Infrastructure Development; Street lighting, Essential Services.**

• Nairobi County, The Department of Urban and Regional Planning (Urban Planning, Lands, Housing & Urban Renewal), and relevant stakeholders should prioritize infrastructure development and budgetary allocation to support improvements to street lighting and public space development to increase safety and security.

• Urban/infrastructure development initiatives should take place in close consultation with local communities utilizing a co-creative participatory approach to designing solutions to safety and security issues faced by the community. This would ensure greater inclusion and a bottom-up approach in designing solutions around urban issues often leading to more just, equitable and sustainable solutions.

**Recommendation 6: Capacity Building of Law Enforcement Officials and Criminal Justice Professionals**
• Capacity building of law enforcement officials and criminal justice professionals pertaining to SGBV and LGBTQI rights, specifically to reduce stigma and discrimination in reporting of crimes by victims to improve overall access to justice for community members. This capacity-building training can be undertaken by an inclusive group of civil society and non-state actors such as the Gay and Lesbian Coalition of Kenya, Coalition for Grassroots Human Rights Defenders, Kenyan Human Rights Commission, local youth organizations, and national non-state actors.

• Local law enforcement agencies should co-create awareness building programs in addition to a zero-tolerance policy on police corruption, bribery with a focus on VAWG cases and cases of LGBTQI blackmail and harassment.

• Trust-building between police and youth through dialogue and sports tournaments should be promoted. In addition, a local Justice center can be established to create awareness and provide legal advice to young people in Mathare sub-county.

Recommendation 7: Strengthening local response to Violence Against Women and Girls

• Local law enforcement agencies, specifically Huruma and Pangani police stations, should implement the deployment of female law enforcement officials in the informal settlement to aid with increasing reporting of VAWG and provide support to particularly women and girls after curfew hours during the COVID-19 pandemic.

• Encourage the support of local grassroots Gender Justice Mechanism responses, provision of safe houses by the private sector, public sector, and relevant stakeholders in addition to investing in community responses to secondary impacts of COVID-19, such as partnerships in the provision of SRHR. This can include but not be limited to awareness building programming through existing interventions by MoH with CHW/CHVs, advocacy around SRHR to ensure young people can make informed decisions.

• Participatory mapping by research and academic institutions of VAWG/S/GBV hotspots with community members to assess heightened areas of risk and provide further insights into safety and security at a neighborhood level.

• Explore, including through focused research, the role and impact of firearms and their illicit circulation and use, on violence against women and girls, as well as the role young women in particular play in facilitating their illegal circulation as a result of peer pressure and other circumstances, and as agents of change in promoting armed violence reduction initiatives, such as arm surrender campaigns inter alia.

• In collaboration with relevant stakeholders, civil society groups like Coalition for Grassroots Human Rights Defenders, Akili Dada, Plan International, SHOFCO, non-state actors and UN agencies, support the implementation of the United Nations Security Council Resolution 1325 on Women, Peace, and Security with an emphasis on supporting grassroots leaders’ efforts in responding to VAWG at a local level.

• Participatory mapping by research and academic institutions of VAWG/S/GBV hotspots with community members to assess heightened areas of risk and provide further insights into safety and security at a neighbourhood level.
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ANNEX
Annex I

Methodology

Key Informant Interviews
Key informant interviews were conducted using open- and semi-structured guides. These involved phone interviews with experts or opinion leaders from the criminal justice system, governance or administration and community. This method was used to gather more in-depth information on issues such as local crime and violence, substance use, institutional response and capacity to address local issues. The interview process also included gender mainstreaming approaches to ensure inclusivity of women and girls. The team targeted to interview at least five informants in each group of criminal justice, governance and community to give a total of at least 19 key informant interviews.

Key informants to be interviewed were selected to ensure that they were directly involved in issues related to crime and violence prevention or general community welfare. This guaranteed that the information collected was given by the most appropriate and relevant individuals in the specific setting and were targeted and accurate.

The analysis was primarily deductive, searching for information responding to the review objectives. A code sheet was developed based on the tools, as well as emerging themes from the interviews with stakeholders. The expanded notes were coded and analyzed. The codes were then assembled into potential thematic areas. The findings of this qualitative review contributed to the qualitative component of the final report in combination with findings from other approaches.

In-depth interviews
In-depth interviews also referred to as IDIs or one-on-one interviews, involved conducting individual intensive interviews with a small number of respondents in-person or over the telephone. The IDIs for this assessment were conducted through phone interviews to gather information on individual perspectives of crime and violence, drug and alcohol use, accessibility of essential social services among other situations in the community. The team maintained the digital audio recording of all the completed interviews, along with transcripts to help verify and evaluate the authenticity of the interviews.

A list of individuals to be interviewed was identified from community members residing in Mathare. A sample of 30 respondents were stratified by age (<20, 20-25, 26-29, 30-40, and 40+) and gender (male/female) to represent different diverse groups and opinions. Also, the team aimed to conduct interviews with people living with disabilities (PWDs), LGBTIQ persons, and marginalized groups for inclusivity.

The tools for in-depth interviews utilized a mixed-method approach of closed and open-ended questions for the collection of both qualitative and quantitative data. The analysis included the
transcription of data and discourse analysis of interview responses. The analysis of data was done using manual deductive and inductive coding.

**Demographic results of In-depth interviews**
In-depth interviews were conducted with 30 Mathare community residents and 60% of them were men. The average age of male and female respondents was 35 years. The age breakdown of the respondents was as follows: 18-25 – (9); 26-40 – (12); 41 -55 – (6); and over 55 (3). The average time in years of time lived in Mathare was approximately 24 years. Thirty-six percent of the respondents were born in Mathare and have lived there their whole lives. Twenty percent have lived there most of their lives, 6.6% have lived there for less than 10 years, 40% have lived in Mathare between 10-20 years and 53.3% have lived there over 20 years.

**Community Survey Methodology**
A community survey was conducted to complement qualitative data to quantify the perceived level of crime and violence as well as the perceived impact of the COVID-19 pandemic. The survey was conducted using a structured questionnaire through phone interviews. The questionnaire for the survey consisted of closed-ended questions to gather information on; demographic characteristics (gender, age, education), perceptions about crime in the local neighbourhood (levels, change, and major causes), perceptions of the criminal justice system, perceived interventions that will improve the safety situation in the community and perceived impact of COVID-19.

The interviews were conducted by a team consisting of community members who were trained in the survey tool. The training included testing the flow of the questions and instructions on how to ask some of the questions with an emphasis on gender mainstreaming. The team was also trained on the use of mobile data collection tools. In addition to training on technical points, the data collectors were also trained on various interviewing principles such as Do No Harm and confidentiality. The data entry screen was designed using CSPro for android to facilitate easy data entry as the respondent is being interviewed. This ensured that data is available for analysis immediately after the last interview. Data was analyzed descriptively using frequencies and percentages.

For sample size determination, we assume that about 20% of the residents in Mathare are victims of various forms of crime and violence. Therefore, to estimate the rate of victimization with 5% precision and 90% confidence level a sample size of 200 respondents was obtained. Since the level of victimization differs between males and females, the sampling of respondents was stratified by gender and also took into consideration the age distribution.

**Demographic results of Community Survey**
The community survey was conducted among 200 respondents from the community (104 males and 96 females). Table 3 below presents demographic characteristics by gender of the respondents for the community survey. There was a similar age distribution for both male and female respondents of the community survey.

Table 3: Demographic characteristics by gender
<table>
<thead>
<tr>
<th>Age group</th>
<th>Male</th>
<th>Female</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>n (%)</td>
<td>n (%)</td>
<td>n (%)</td>
</tr>
<tr>
<td>19 – 25</td>
<td>15 (14.4)</td>
<td>21 (21.9)</td>
<td>36 (18.0)</td>
</tr>
<tr>
<td>26 – 29</td>
<td>20 (19.2)</td>
<td>20 (20.8)</td>
<td>40 (20.0)</td>
</tr>
<tr>
<td>30 - 40</td>
<td>37 (35.6)</td>
<td>29 (30.2)</td>
<td>66 (33.0)</td>
</tr>
<tr>
<td>40+</td>
<td>32 (30.8)</td>
<td>26 (27.1)</td>
<td>58 (29.0)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Marital Status</th>
<th>Male</th>
<th>Female</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>n (%)</td>
<td>n (%)</td>
<td>n (%)</td>
</tr>
<tr>
<td>Single</td>
<td>53 (51.0)</td>
<td>22 (22.9)</td>
<td>75 (37.5)</td>
</tr>
<tr>
<td>Married</td>
<td>26 (25.0)</td>
<td>71 (74.0)</td>
<td>97 (48.5)</td>
</tr>
<tr>
<td>Separated</td>
<td>9 (8.7)</td>
<td>2 (2.1)</td>
<td>11 (5.5)</td>
</tr>
<tr>
<td>Widowed</td>
<td>16 (15.4)</td>
<td>1 (1.0)</td>
<td>17 (8.5)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Duration of stay</th>
<th>Male</th>
<th>Female</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>n (%)</td>
<td>n (%)</td>
<td>n (%)</td>
</tr>
<tr>
<td>Less than 1 year</td>
<td>1 (1.0)</td>
<td>1 (1.0)</td>
<td>2 (1.0)</td>
</tr>
<tr>
<td>Between 1-3 years</td>
<td>5 (4.8)</td>
<td>3 (3.1)</td>
<td>8 (4.0)</td>
</tr>
<tr>
<td>Between 4-6 years</td>
<td>9 (8.7)</td>
<td>11 (11.5)</td>
<td>20 (10.0)</td>
</tr>
<tr>
<td>Over 6 years</td>
<td>89 (85.6)</td>
<td>81 (84.4)</td>
<td>170 (85.0)</td>
</tr>
</tbody>
</table>
Nearly half (46.5%) of the respondents had a primary level of education, while only 6% of the respondents had no formal education. Sixty-five (32.5%) respondents had secondary education with male being 28 (26.5%) and thirty-seven (38.5%) females. Five percent of the respondents attained TVET education level, 9.5% had a tertiary college education, while only 3% of the respondents had a university education.

Seventy-two (36%) respondents in Mathare were casual employees, while only 9.5% (19) of the respondents had salaried employment. The unemployment rate among those interviewed was 34% with the majority being male (39.4%) compared to 28.1% of female. Twenty-nine (14.5%) respondents engaged in business as alternative employment, while 6% of the total population in Mathare involved in other forms of work.