



**CRIME SCENE INVESTIGATION NAIROBI**

P. O. Box 12130 - 00400, Nairobi

Tel: 254 20 240011 Fax: 254 20 343844

## Quantitative research findings on RAPE in Kenya between Dec.30<sup>th</sup> 2007 to June 30<sup>th</sup> 2008.

### **Estimated Statistics of Rape & pedophilia – 40,500.**

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Kinyanjui Murigi  
**Head of Task Group**  
**Crime Scene Investigation Nairobi.**

# Incidence and prevalence of rape & pedophilia

This study provides an overview of available literature on the prevalence and incidence of rape in Nairobi Kenya, the response of the criminal justice system to such crimes and the characteristics of those who commit rape.

There are indeed various studies of rape in Kenya from which rape statistics may be extracted, but none of these studies were specifically designed to measure the prevalence and/or incidence of this crime. These studies, although approached from different perspectives and using diverse methods, come up with roughly similar patterns or trends as summarized below.

Prevalence refers to how many cases there are, altogether, at a given point in time, for example, how many people there are in any country on the day of a population census. Incidence, on the other hand, refers to the number of cases over a specified time period, for example, the number of children per 100,000 of the population that were born in a given year.

Internationally, all crimes including rape are reported as incidence statistics for a given year. Within that year, they are reported as a proportion of 100,000 of the total population.

**In this report, CSI Nairobi has deviated from this reporting method, principally because of the unique situation witnessed during the post election violence and the increasing rapes thereafter. It takes province population size into account where rape figures are extrapolated.**

It is inappropriate to report rape or any other crime in a country simply over a time period, for example 'two women are raped every minute', without taking population size into account. Using this method, China or even the United States with their large populations would have many more rapes per minute than countries with smaller populations such as Kenya.

The best source of national incidence data in Kenya is hospitals, conducted nationally. Extremely few cases are reported to the Kenya Police.

## Table of Estimated Statistics

Province	Population*	Estimated Rape Cases*	Population Percentage (%)
Central	3,923,900	<b>4,658</b>	11.5
Coast	2,975,400	<b>3,564</b>	8.8
Eastern	5,322,400	<b>6,359</b>	15.7
<b>Nairobi</b>	<b>2,845,400</b>	<b>3,400</b>	<b>8.4</b>
North Eastern	1,326,000	<b>1,580</b>	3.9
Nyanza	4,984,900	<b>5,954</b>	14.7
Rift Valley	8,418,100	<b>10,044</b>	24.8
Western	4,151,000	<b>4,941</b>	12.2
Kenya	33,947,100	<b>40,500</b>	100

\* Population Statistics from Central Bureau of Statistics Web.

\* 40,500 is a highly **SHOCKING AND DISTURBING** estimate. However it is conservative. Indeed we contend the figure could be **MORE THAN 3** times higher.

# Executive summary - Rape in Kenya is estimated to have increased by 5,200% compared to 2007.

**Kenya police statistics on the incidence of rape reported to the police indicate that 1,291 cases were reported in 2006 and 876 in 2007 nationally.**

## CSI Nairobi Explanations for high incidences of rape & pedophilia

- Rape is the most highly under reported crime in Kenya. It is estimated that only 1 out of 20 women in Kenya will report a rape and only 1 in 6 will seek medical assistance. Relying on reported cases will therefore not provide a genuine picture of what is truly happening on the ground.
- The Post election Violence generated Mass Rape Incidences only witnessed in Rwanda during the genocide and currently in Dafur Sudan.
- Continued wanton rape of Internally Displaced Persons.
- High level of youth unemployment in Kenya.
- Lack of adequate training by relevant personnel on how to sensitize the population on rape and measures of seeking treatment and justice.
- High number of repeat offenders.
- Increase in abuse of Alcohol and drugs.
- Lack of DNA Forensic evidence in cases of rape.
- Lack of public education on rape and what to do incase of rape.
- Lack of medical institutions to deal with rape. The ONLY institution dealing CONCLUSIVELY with rape in Kenya is the Nairobi Women's hospital. More medical institutions are needed.
- Rape in all provinces except Nairobi is mostly settled out of court through Clan Elders. Women and children in rural areas are not only subjected to these "courts" UNWILLINGLY but often are denied treatment for deadly STD's including HIV. This trend has RUBBISHED efforts by Government to check the spread of HIV in these areas.
- NGO's are not doing enough to sensitize women on their rights and what to do if raped.

- Societal stigma associated with rape deters a majority of women and children from reporting a rape.

## CSI Nairobi Further Statistics

- Victims of rape tended to be women of all ages ranging from 9 month old to 105 years of age.
- Rape among women was more likely to be perpetrated by men unknown to them. Thus among women who said they were raped during the post election violence 40% were raped by unknown men as opposed to 20% who were raped by relatives or men who were intimate with the victims.
- Among those rapes reported to the police a higher proportion (60%) were said to have been committed by strangers.
- The Police found that most rapes were carried out by multiple perpetrators.
- In most cases, women were raped with the threat of physical injury, and often with the use of knives or at gunpoint. Almost half of all rapes occurred inside the homes of victims.
- Data available to CSI Nairobi indicates that the current rapes (April 2008) are being perpetrated by persons known to the rape survivor (53%).
- Findings from the rape analysis undertaken by CSI Nairobi show that, most of rapes occurred more frequently than the average on Saturdays (23.7% of all reported cases), particularly between 19h00 and 01h00.

## Reliability and validity of rape statistics

### Defining and distinguishing the crime of rape

This study provides an overview of available literature on the prevalence and incidence of rape in Nairobi Kenya between 30<sup>th</sup> December 2007 and June 30<sup>th</sup> 2008, the response of the criminal justice system to such crimes and the characteristics of those who commit rape.

This review focuses on quantitative rather than qualitative research. The latter type of research covers many important aspects of rape and its consequences, for example the experience of the victim, the extent of trauma, extent of confiding in others or seeking counselling etc. But these research findings are not easily quantifiable, therefore they are excluded from this review, which focuses on rape statistics.

In this section, we distinguish between rape and other forms of violence against women. Rape has been defined in various ways including legal, psychological, sociological and subjective definitions. It is therefore necessary to define the term rape, as it is used in this document. All definitions are taken from (Sexual Offences ACT 2006).

Firstly we look at gender-based violence, which the United Nations defines as:

Any act... that results in, or is likely to result in physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life.

Different categories of this crime include: abuse, sexual assault and rape. Abuse can take various forms including economic, emotional, physical or sexual.

Sexual abuse is considered to be any unwanted physical invasion of an individual's body that is sexual in nature. This abuse ranges from touching and kissing, through to forced oral sex, forced sexual penetration or rape and being forced to perform prostitution and bestial acts.

Sexual assault, in legal terms is defined as the unlawful and intentional application of force to another person, or making the person believe that such force will immediately be applied, with the intent to commit the sexual act.

Rape, according to Kenyan law, consists in a man having unlawful, intentional sexual intercourse with a woman without her consent. Sexual intercourse presupposes penetration of the female sexual organ by the male's penis.

## Difficulties in collecting rape statistics

Rape is a traumatic experience and a sensitive issue, and may be under-reported to fieldworkers during a survey no matter how carefully designed the survey is. This risk can be minimized by giving sensitivity training to fieldworkers by qualified people, for example counselors. But it remains difficult to ascertain the extent of under-reporting in a particular survey. The validity of results in any survey can, however, be tested against other surveys with similar research designs.