PERCEPTIONS OF BUSINESS COMMUNITY ON KENYA POLICE SERVICE LAW ENFORCEMENT PRACTICES IN NAIROBI CENTRAL BUSINESS DISTRICT

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DECLARATION AND RECOMENDATION

Declaration

This thesis is my original work and to has not been presented for the award of any degree in any university or institution.

Sign... Date……………………

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Recommendation

This thesis has been submitted for examination with our recommendation as university supervisors.

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DEDICATION

I dedicate this work to the Almighty God from whom I have derived all things. To my late mum whose courage inspired me to dream big; her encouragement, support and unending belief in me are a source of inspiration.

ACKNOWLEGDEMENT

ABSTRACT

All over the world, the interaction between the public and the police has over the years been characterized by suspicion, tension and hostilities. There have been numerous allegations and complains from members of the public on Kenya Police Service law enforcement practices which has led to differing public perceptions. This study sought to explore perceptions of business community on Kenya Police Service law enforcement practices in Nairobi Central Business Districtand was guided by three objectives. First, was to explore the perception of the business community on Kenya Police Service law (KPS) enforcement practices in NCBD from. Secondly, to establish public perception on the effectiveness of Kenya Police Service in law enforcement practices in NCBD from .and third to interrogate the level of cooperation between the public and the Kenya Police Service on law enforcement practices in NCBD from. This study was informed by symbolic interactionism theory. A descriptive survey design involving the use of questionnaires and in-depth interviews with key informants was used. This study used stratified random sampling to draw 120 respondents and purposive sampling of 12 key informants who were drawn from Business community leaders, Officers Commanding Stations and /or Division and selected Civil Society Organizations engaged in promoting and advocacy of best practices. Primary data was collected using semi structured interviews and questionnaires; while secondary data was collected from reports, journals and other publications. Quantitative data was analyzed using descriptive statistics, which included frequencies, percentages, cross tabulations. On the other hand, qualitative data from key informant interviews was coded and placed under various themes based on the objectives of the research. For quality control, tools were piloted so as to ascertain the content validity of the instruments and reliability was tested using pre-testing data sets and Cronbach's reliability. The reliability of the variables was assessed using Cronbach's alpha. This indicated that the instruments used to collect data from the respondents were dependable, reliable and yielded good results. This study revealed that the KPS law enforcement practices were a cause of concern in the NCBD, especially among business community because of the differing public perceptions of KPS law enforcement practices. This study also revealed that the public consider KPS law enforcements practices ineffective for fighting crime and reducing public disorder. The study further established that the level of cooperation between the KPS and the public was poor as evidenced by the reluctance from the public to seek police assistance because of the police uncaring and abusive behavior and inability to sanction criminal behavior among others. This study recommends that the KPS quickly establishes a personal credibility with all segments of the community, especially the business community. It also recommends that the KPS needs to initiate and strengthen patrols, strengthen watch programmes, sharing of information, door to door contacts, implement the use of improved hotline responses and also work to reduce response time to crimes. Given the widening public perception of KPS across the whole country, future studies should therefore, cover other cities and towns to enhance and compare generalization of these findings.

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ABBREVIATIONS

CHRI	Commonwealth Human Rights Initiative
CI	Chief Inspector (of Police)
CSOs	Civil Society Organizations
GDP	Growth Domestic Product
GJLOs	Governance, Justice, Law and Order sector
HRW	Human Rights Watch
ICJ(K)	International Commission of Jurists (Kenya)
IG	Inspector General (of Police)
IMLU	Independent Medico-Lego Unit
IPOA	Independent Police Oversight Authority
KHRC	Kenya Human Rights Commission
KNBS	Kenya National Bureau of Statistics
KNCHR	Kenya National Commission on Human Rights
KPF	Kenya Police Force
KPS	Kenya Police Service
NCBD	Nairobi Central Business District
NPSC	National Police Service Commission
OCPD	Officer Commanding Police Division
OCS	Officer Commanding Station
UN	United Nations
UNHCR	United Nations High Commission for Refugees

CHAPTER ONE
INTRODUCTION

1.1 Background to the Study

Police officers all over the world perform numerous and different functions. The police department is a key organ of the state mandated to administer justice, law and order, thereby giving a sheltered domain ensuring the regard and delight in fundamental rights by all citizens as observed by Birzer (1999). Police service manifests government supremacy particularly in open security in any nation. CHRI (2005) observes that in discharging their mandate of countering the expanding wave of crime in a dynamic environment characterized by new dangers to national security and terrorism, they must are expected to work guided by law and regard human rights. Research literature indicates that in many occasions the police have applied unorthodox practices and meted undue force of the very citizens they are supposed to protect. For instance, CHRI (2005) found that the police relied heavily on unwarranted practices and torture among the clients they are supposed to protect.

Allegations of police misconduct, brutality and unwarranted practices to subdue their clients are some of the most common challenges that have hard hit the Police departments over the whole world. It is as unavoidable in many nations on the planet like the United States, England, Canada, Netherlands, Germany, Austria, France, Russia, and South Africa (Champion, 2001). Notwithstanding endeavors to battle it, police use of unwarranted practices is perpetual and there is no efficient way to solve it as it has turned into an innate piece of the police organization and practice as opined by Champion (2001).The relationship between the public and law enforcement, especially its brutal nature, has been under persistent reconsideration. Police-citizen violence and related concerns are prime subjects of discussion wherever law implementation experts meet to talk about issues. Johnson (2003)argues that perceptions of police use of unwarranted practices have informed many a citizen's mistrust and accusations about the police practices in enforcing their mandate. The Christopher Commission of 1991in carrying out investigations on the structure and operation of the Los Angeles Police Department, found that police use of unwarranted practices was an outgrowth of the frequently strained and suspicious interaction between the police and the public they are supposed to serve and defend.

Over the years in Africa, police law enforcement practices have been the subject of serious open public scrutiny and investigation. The hostile nature of growing African culture of

democracy has been a key factor in this scrutiny (Hegre, 2012). The very idea of police work that involves use of force, arrest, maintenance of law and order, lends itself to complaints and accusations from members of the public. Benjamin, (2001) states that public perception of the police has fundamentally warped in light of the misuse powers vested in them. Often times there have been questionable arrests by police of unarmed civilians especially arising from stopping demonstrations, dispersing assemblies, and maintenance of law and order. Police misuse of powers through their law enforcement practices creates a negative image andthus eroding police-public relations (Aver, 2011). In a study by Benjamin (2001) in Nigeria, the manner in which the police officers execute their mandate has raised concerns linked to the socio-political problems the country has faced in the recent past. Further, Alemika (2007) observed that the perceived atmosphere of authoritarian administration in Nigeria seems to allow the police to execute their mandate using unorthodox practices to protect the citizens.

The Nairobi Central Business District (NCBD) is located at the core of the Capital city, the hub of commercial and economic activities. Similarly, as with some other such urban territory on the planet, NCBD has been a magnet for criminal go getters who similarly look to enhance their fortunes in the various different open entryways provided for in the city state. Some of the criminal activities are armed robbery, murder, mugging, firearms trafficking, carjacking, sexual assaults, property crimes such as burglaries and housebreaking. It's these activities that necessitate the police to patrol these areas in a bid to control crime while also taking the advantage of the unsuspecting Kenyan public to swindle them of their hard-earned cash (SRIC, 2012).

The Independent Police Oversight Authority (IPOA) has often received numerous complaints which necessitated them to conduct studies on incidences of police misconduct, some of which have indicated that thirty (30%) percent of the total population had encountered police misconduct such as ambush brutality, adulteration of evidence, bribery, and risk of detention a year preceding the study in 2015. The perceptions of the public seem to indicate that they did not believe in the police to adequately discharge their duties effectively. Alemika (2007) suggests that it is necessary for the police service to adapt new strategies of effective crime control in line with the changing global trends. In Kenya, a study carried out by Waki (2008) linked the violence experienced in Kenya in late 2007 to the unacceptable practices used by the law enforcers while Alston's (2009) report revealed that shootings of citizens to firearms could be traced to the police.

The general public has continued to question whether there is any progress made so far about the wholesome changes made to the KPS (Amnesty International, 2013). For instance, Maende (2004) asserts that members of public in Nairobi have consistently continued to allege and complain that the police are agents of Government for pacification and punishment instead of protecting them, especially during demonstrations. The police are summed up as forceful, stoic, separate crime-fighters, who have a strong belief in esprit de corps and they will ensure other police officers more than they would protect the public (Misis, 2012). Shockingly these distinctive perceptions happen too constantly serving to make a transmission of uncertainty, question, and weakness between the police and the public they serve. This generalization is problematic as the insular identity of police creates a form of the generalized other of the public. Police agencies and officers, for example, will profile certain identities, (Davenport, Soule &Armstrong, 2011) which in turn can cause a relational disconnect between them and the public.

There have been differing public perceptions as to whether the Kenya Police Service is a repressive tool of the Kenyan government, by which they are used to oppress citizens and limit their rights and freedoms for the benefit of the government. Similarly, there is growing public awareness of Kenya Police Service (KPS) law enforcement practices and most of these practices have come under public scrutiny and which include subjective judgments, social liberties infringement, and use of unwarranted practices. Njuguna (2013) observes that these damaging practices have guaranteed that there is an expansion in crime, restored open issue and diving open trust in the police establishments. While police have been charged with many different functions which often give rise to divergent perceptions and views from the public, this study will therefore seek to explore perceptions of business community on Kenya Police Service law enforcement practices in Nairobi Central Business District.

1.2 Statement of the Problem

The vast majority of the law enforcement officers in Kenya and especially in NCBD perform their work with deference for the public and inconsistent with the law. Nonetheless, there are times in which this is not the case. There have been numerous allegations and complaints from the public about KPS law enforcement practices. After the promulgation of the new Constitution2010, the Kenyan public anticipated improvement of KPS performance and especially in dealings with the public. Whether this has been adhered to remains unknown because there have been differing public perceptions of Kenya Police service law

enforcement practices. These perceptions have not been the subject of any systematic investigation and documentation. This study, therefore, sought to explore perceptions of business community on Kenya Police Service law enforcement practices in Nairobi Central Business District. It was the intention of this study to investigate and fill this apparent knowledge gap.

1.3 Objectives of the Study

The guiding objective of the study was to understand perceptions of business community on Kenya Police Service law enforcement practices in Nairobi Central Business District.

1.3.2 Specific Objectives

This study sought to address the following specific objectives:
  i.   Toexplore the perceptions of business community on Kenya Police Service law enforcement practices in NCBD.
 ii.   To assess public perceptions on the effectiveness of Kenya Police Service on law enforcement practices in NCBD.
iii.   To interrogate public on the perceived level of effective interaction between the public and the Kenya Police Service on law enforcement practices in NCBD.

1.4 Research Questions

This study sought to addressthe following research questions:
  i.   What are the perceptions of the business community on Kenya Police Service law enforcement practices in NCBD.
 ii.   What isthe public perception on the effectiveness of Kenya Police Service on law enforcement practicesin the NCBD.
iii.   What is the the level of coorperation between the public and the Kenya Police Service on law enforcement practices in NCBD.

1.5 Justification of the Study

The role of police in crime management and control has been dynamic since it became a profession throughout the world. The interaction between police and citizens in Kenyan society has been viewed with suspicion by different members of the society. First, there existed gaps in knowledgeon the interactions between the Kenya Police Service and the Kenyan public. The study is timely since it may provide insights on how the Kenyan public may resore the confidence of the police service particularly in Nairobi County. Effective

support to law enforcement by the public is an integral aspect of crime reduction. It may also add value to legitimizing the police service. This will in turn enrich the body on knowledge which seems to suggest that public support depends on the perceptions that law enforcement practices used by the police are unprofessional.

Secondly, the study findings may be an influence the policies on crime management used by government and other important stakeholders as it would help them in rethinking their role in effective crime management by perhaps developing other interventions, arrangements and laws that would restore and strenghthen the service delivery by the police departments in regard to the security industry. This is because the security business and the prosperity of Kenyans contribute altogether to the Kenya's GDP. Findings generated by the study may inform policy makers development of alternative policies and generate other methods of facilitating interaction between the police and the public.

Third, the information generated by this study would contribute to the development of more effective strategies for influencing institutional changes that empower the public to improvetheir relations with the police. It would provide additional information to the existing legal, institutional, policy and socio-economic framework that encourages, promotes and supports public and KPS relations.

This research would identify and lay foundation for further research in perceptions of business community on Kenya Police Service law enforcement practices in Nairobi Central Business District. In adddition, the findings will contribute to the development of the relations between the business community and Kenya Police Service law enforcement officers by providing more information needed to bridge the gap in knowledge currently in existence. Lastly it would also add value and increase the sensetization of the need by law police officers and other security agencies to gain insights on the provisions of the Constitution of Kenya in regard to the changing trends in regards to the expections from the public.

1.6 Scope and Limitations of the Study

This study sought theperceptions of business community on Kenya Police Service law enforcement practices in Nairobi Central Business District. This study was carried out in NCBD and data was collected from among members of the business community . The

members of the public carrying out businesses were the main source of data for this study. The accuracy of the information given exclusively depended on the genuineness of the said respondents. The study was delimited to one area that is Nairobi County and was conducted in the Central Business District. The study variables were public perceptions on law enforcement practices, effectiveness of the service and the interactions between the police and the public in regard to law enforcement.

This study experienced various limitations. First, there was fear of victimization as the issue of police brings chilling effect wherever it is mentioned. However, to ensure that the several areas of concern regarding the study topic were addressed, the researcher sought their consent first and guaranteed them confidentiality on any information provided and that such information would only be for academic purposes only. The anonymity of a person (respondent) would also be guaranteed. Due to the fixed timelines, the study was also unable to have an in-depth of all the challenges of police activities in the county. Likewise, there were other areas of the topic which were equally important, but the study was unable to explore them.

1.7 Definition of Terms

Kenya Police Service:	For the purposes of this study, it means the Service established under Article 243(2) of the Constitution 2010.It falls under the National Police Service.
Perception:	For the purpose of this study, it means the way in which something is regarded, understood, or interpreted.
Nairobi Central Business District:	(NCBD) or Nairobi Central Business District means the commercial and business Centre of Kenya's capital city. It is the commercial, business, office, retail, and all the more regularly social focus of the city and typically is the inside point for transportation systems.
Business Community:	This means a body of individuals who are in classes of enterprises whose workforce is less than 10 (micro) and have employees of between 10 and 49 according to Kenya's micro and small enterprises Act, 2012. In this context business community will be the subject of enquiry in relation to KPS law enforcement practices.
Law enforcement practice:	This is any act provided in the penal code or otherwise practice used by police officers in Nairobi Central Business District as a strategy to effectively deal with citizens who violate social order.

CHAPTER TWO
LITERATURE REVIEW AND THEORETICAL FRAMEWORK

2.1 Introduction

This chapter presents a critical review of related literature of various scholars with special attention given to work that focus on each of the specific study objectives. It also presents existing knowledge gap the study aimed at addressing. The theory on which the study was anchored is also presented. Lastly, the conceptual framework used in the research is presented.

2.2 Worldwide Perceptions of the Police

The police have been perceived to operate in an inconsistent manner thereby raising suspicions in the way they deliver their mandate in various and different capacities. Thus, there are desperate perspectives on the nature and importance of various police roles. Kerstetter, (1985) asserts that, everywhere throughout the world, police have been allowed the benefit of utilizing non-debatable coercive power to control subjects' conduct and guarantee public order. While the expert to utilize such power isn't an issue, its appropriate application is the focal issue of contemporary police unfortunate behavior. Varied concerns have been expressed by the citizens regarding the their interaction with police officers. There have been perceptions related to unprofessionalism and violation of justice.The public perception of crime and of criminal equity can have a critical effect on arrangement choices identifying with operational action in cutting edge law requirement and in legal condemning. Nevertheless, there can be and in fact regularly is a misconstrued perception of the interaction by the public in of wrongdoing and the actual way in which exploitation takes place. Cohen (2000) even asserts that this disparity is obvious in public concern with respect to an apparent increment in crime amidst of declining wrongdoing rates.

Odekunle (2004) observed that the "focal and sub objectives of policing, the significance of policing to society and citizens' perception of the police officers" can't be overestimated. The study demonstrates view that the police would see it as part of their mandate to expeditiously and procedurally counter crime in their areas of jurisdiction. Further, Odekunle (2004) maintains that the policemen's clear understanding and execution of their duties in a respectable yet procedural manner can be even more effective and build the interaction between them and the citizenry. They could also take care of guilty parties and non-

wrongdoers and attain profound ramifications for the public impression of reasonableness and equity and for the level of regard the normal subject has for the law. Policemen's behaviour affect citizens' perception about the whole police service system, being the most visible compared to any other enforcement authority.

The police are a de-centralized institution, which means police departments act independently from each other (Misis, 2012; Paoline, Myers & Worden, 2000). Mason (2010) however disagrees with this finding by asserting that even though the police are de-centralized, the United States police are generalized as aggressive, stoic, insular crime-fighters, who have a strong belief in esprit de corps. In his findings he found that the police will protect other police officers more than they would protect the public. This generalization is problematic as the insular identity of police creates a form of the generalized other of the public. In his argument Turner (2001), supports this position as the generalized other is defined as a group or person having a certain perception(s) of another group and which are characterized as being different. The works of Turner and Mason were important in helping to critically show that the public confidence in the police has significantly warped and have negative perception about the police.

In a study conducted by the Australian Bureau of Statistics in 2008, there was a decrease in the number of homicide and other related offences reported in 2007 compared to 1998while those pertaining to kidnap, abduction, blackmail and extortion increased marginally. There has been an observed mismatch between the crimes reported and documented in police records compared to the actual number taking place in the society as observed by Roberts & Indermaur (2009). There is however a change in the trends and sophistication methods used to commit crimes in the fluid society. In fact, a study by Maguire & Pastore (1999) indicated that the United States and Canadian public perceive crime rates as increasing even though, in general, crime rates have been declining over the last decade. Indermaur & Roberts (2005) further states that these outcomes are not segregated to the United States and Canada, with proof of comparable misperceptions present in Australia. This is an indication that despite decline in crime, the public perceptions of crime rates and crime trends often do not match with police statistics of recorded crime and therefore view the police as a system who are economical with the truth. The works of Roberts & Indermaur, (2009) and Maguire and Pastore (1999) try to explain public perception on the effectiveness of law enforcement officers.

The public in rural towns and counties generally have higher positive perception of police officers than citizens in urban areas although younger rural citizens would be the exception, (Blackhurst, 2013). The public believes the police should be friendly and have a firm demeanor (Weisheit & Donnermeyer, 2000). Blackhurst (2013) says that the reason is because police are members of the community in which they work and know many of the community members. Yet, the public perceptions of police officers can cause some stress for officers, including the "fish-bowl" effect; the police can rarely ever be anonymous and must be aware of public perception while off-duty too (Oliver and Meier, 2004). Nevertheless, negative and pessimistic observations by police towards youngsters are probably going to unfavorably impact how selectively the police respond to crime. Previous studies indicate that personal attributes of police officers and qualities of the individual inform the police choices in the selection of a crime management strategy to use. For example, sexual orientation and indigenous status, and their dispositions, mien and conduct towards the police are probably critical aspects of consideration when dealing with the public as pointed out by McAra and McVie (2005) and that police discretion and prudence may significantly affect the criminalization of young people. Although some of these works do not address directly any public perception of law enforcement practices in particular setting, this study used these works to address the public perception of business community of KPS law enforcement practices in NCBD.

Kane (2003) contends that minority populations strongly agree that historically the law enforcement officers have brutalized and marginalized their communities. He further argues that it is for these reasons that presently, minority communities are distrustful and weary of the police and their tactics. Holmes (2000) supports the view that the judicial system has selectively treated and meted undue discriminatory practices that appear oppressive. This work assisted the researcher to ascertain whether these claims were true. It also helped to make a finding on how the law enforcement officers carry out their enforcement practices whether according to the law and if the law enforcement officer's practices were oppressive and discriminatory.

Review of literature showed that early experiences with police may prompt a more noteworthy probability of future experiences with the police in later pre-adulthood or adulthood (Weatherburn & Hua, 2005). Such encounters are therefore likely to increase an adolescence negative perception about the police. This seems to raise some concerns in the

way perceptions of, and interactions between laypeople and the police officers in relation to the way they perceive the effectiveness of crime management. This in turn might stimulate more involvement in crime in the future by individuals operating in crime control and management. This study therefore established that these issues will in turn slowly affect the way such a person will view the police. Findings for this study thus provide a spring board upon which young people are persuaded to form a perception about the police.

Davenport, Soule & Armstrong (2011) argue that the police agencies and officers will profile certain identities which in turn can cause a relational disconnect between them and the public and it will be seen therefore, that from the beginning a serious communication gap is built between the police and the public and this mutual distrust rather than disappear continued to grow wider. This disparity can be observed among racial minority groups who are known to have more negative interactions with the police than other radicalized and ethnic groups (Blackhurst, 2013). This is an issue with police officers, as the community does not perceive that the police care about community issues, especially in poor and non-white communities (Kirk & Matsuda, 2011). Instead of finding common ground to protect the community and reduce crime, the police have created a culture of fear. Citizens are reluctant to seek police assistance because of the police uncaring and abuse behaviour. Kirk & Matsuda, (2011) further observed that the relationship can further deteriorate during protest events, especially when the police use violence against citizens. This works tries to explain and demonstrate that minorities are more likely to suffer racial profiling and assault by police or law enforcement officers. The works were used in this study to address the perception of the public towards law enforcement officers and also address the level of cooperation between the public and KPS on law enforcement officers. This is because the negative perception stems from personal and negative experiences that minorities have endured with police officers.

Holmes (2000) contends that there is a need to strengthen and enhance the interaction between the public and the police officers for effective crime control. It would be in the best interest of both policy makers and the public that relations between the public and police are improved. The improvement of this relationship would benefit both the communities and the police. Burger (2011) argues that, despite the concerted efforts and innovations in crime prevention, the trends in crime may not change unless the police service collaborates with the public more effectively. There is an urgent need to cultivate the collaboration between the

two parties considering that trust between the policing agencies and the community they serve takes a long time to build and post any significant changes. There are varied perceptions especially among the American public that the legal system is devoid sufficient trust and confidence which may give special importance to its legitimacy. (Tyler & Jackson, 2014). This study therefore sought to understand how the policing agencies and the local community may work together to can foster effective crime control. Scholars have suggested that confidence in the criminal justice system has been eroded or lacking altogether.

There is evidence of strong differences between groups studied with respect to the perceptions of their level of confidence with the police. For instance, minority groups were unhappy with the way the police executed their mandate.in the police. For Tyler & Fagan, (2008) many people who viewed the existing laws informing police action legitimate. That is, the law provides for appropriate avenues for communicating good social standards that are broadly held by both prevailing and subordinate social gatherings. In like manner, the authenticity contention recommends that the police can pick up use for the co-creation of security by inculcating the prevalent observation that their activities and choices are honest to goodness. This contention expands upon a long line of hypothesis that contends for the centrality of authenticity to the viability of state actors. In regard to this, it will be necessary to investigate public perception of the Kenya Police Service and especially among the business community within Nairobi Business Community.

2.3 Law Enforcement Practices

The police department all over the world serves to maintain law and order. Among the core duties of such officers include maintenance of peace and tranquility, crime control and management as well as effective interaction with their clients. In addition, the department offers help to members of the community who may require services related to their area of jurisdiction while at the same time ensuring compliance with the law as observed by Alemika, (2003). Enforcing the law involves more than managing just lawbreakers. Police respond to varied distress calls which may not be considered as criminal-related. For instance, they may respond to varied concerns of the local communities such as helping find lost relatives, animals, property and mediate between waring neighbors while at the same time ensuring protests in varies neighborhoods are kept under control. Their response mechanisms may aggravate crime or open avenues for advance in tactics. Addington, (2009)

asserts that the law enforcement role may change the perceptions of public by viewing their immediate local environment as hostile and unsafe.

In an environment in which the youth are scared or feel that they are in danger, juveniles may be more likely to resort to resort to crime and violence to protect People often in this environment may perceive that crime is the normative which may result in more crime. According to Gotto & Haney, (2009), law enforcement is still regarded as predominantly a male occupation and justifiably, the experience of female police officers varies from those of their male partners and there is some proof that the working conditions are less ideal for ladies. The idea of police work does much to cloud the complexity of decision-making process within the police force. Therefore, it's important to note that the experiences of male and female added with less favourable conditions may at times play a compelling role on how a law enforcement officer will conduct him/herself. Kelling (2008) likewise, believed that the multicultural and varied nature of the circumstances in which the police work could perhaps influence how they respond to crime as they interact with their clients.

In these entangled circumstances, there is an emerging need for the police apply appropriate yet effective methods to deal with the culprits. There are concerns raised in the way the when police execute their duties as pointed out by (Kelling, 2008). Community anticipates that police will secure and serve the group, yet citizens regularly have no unmistakable understanding of the circumstances within which the police do their jobs. This may more often than not bring about suspicion and clashes between police and general public in regard to the procedures used in crime control.

In addition to influencing perception of public safety, the law enforcement approach may also affect attitudes towards the police in ways that increase crime. Many are concerned that police do not receive sufficient training to work with the public especially the youth, but rather only receive training in traditional law enforcement approaches (Brown, 2006)**.** These officers may therefore be more likely to use aggressive tactics which may generate negative attitudes undermining the legitimacy of the police (Hinds, 2009). When the police are viewed as legitimate, people are more likely to comply and obey police authority (Tyler & Fagan, 2008). This statement agrees with the works of this study because the level of cooperation between the public and the police will significantly depend on the public viewing the police as a legitimate, hence the need establish whether the public see police as legitimate authority.

Further, perceptions of police and legitimacy are affected if aggressive tactics disproportionately affect certain demographic groups. Fratello et al. (2013) interviewed juveniles between the ages of 13 to 25 in New York City on their interactions with police and found that minority juveniles felt that they were given more harsh treatment due to their race. Brunson (2007) interviewed a sample of male juveniles age 13 to 19 in St. Louis and found that officers were more likely to use force with African American males. This may contribute to more positive attitudes towards the police among whites than among minority juveniles (Hinds, 2007). Whites tend to have the most favourable views of the police whereas African Americans have the least positive attitudes, and Hispanics fall in between (Taylor, 2001). Aggressive behaviour in the law enforcement role targeting certain demographic groups is likely to affect juveniles' attitudes and undermine legitimacy, which may contribute to an increase in crime.

It is of pivotal importance also to examine the relation between the police and young people in light of the frequent and often negative contacts that young people have with the police. Young people's active lifestyles tend to attract considerable proactive police intervention (Crawford, 2009). They have a greater propensity to engage in behaviour which challenges and goes up against the set-up structures and offices of expert (Hamilton, 2005). Further the youth and youthful grown-ups carry out a lopsided measure of wrongdoing. In addition, the high exploitation rate among youngsters proposes that they will probably come into contact with the police. As per Statistics in Canada (Hamilton, 2005), 20% of rough wrongdoing casualties were kids and youth under 18 years old in 2003. These brutal crimes incorporate sexual and physical ambushes and additionally different episodes including savagery or the danger of viciousness (e.g., blackmail, burglary, and articulating dangers).

A significant part of the disappointment African-Americans and other minority groups encounter is the consequence of harsh police practices. Minorities feel they need control over police abusive practices. This group maintains the thought that the elite hold the power and control over the political framework (James, 1974). Wheelan (2002) contends that at the core of numerous separation related issues is an absence of data. Data matters, especially when we don't have all that we require. He inferred that there must be an adjust of data in correspondence since awkwardness can separate the entire framework. The work of Wheelan (2002) was important in understanding the breakdown of relationships and especially between the police and the public.

Brodeur (2010) influences a qualification between two contradicting hypotheses of police trying to give a range where we to can put any law implementation drive on the planet. While talking about models of policing in law requirement, he affirms that shielding the group from law violators isn't an end in itself for high policing Brodeur (Ibid,) yet not at all like in low policing groups, police in high policing regions are not fundamentally worried about halting or anticipating wrongdoing for its face esteem. Since the sole concentration of these police authorities is to serve built up rulers, wrongdoing may in certainty be utilized as a part of specific cases to reinforce these rulers. Utilizing culprits to subdue disagreeing conclusions is plausibility for law implementation bodies to look after request (Hinds, 2007). In this manner, the oversight and even administration of these unlawful exercises takes point of reference over their counteractive action.

High policing in law enforcement not only makes broad utilization of covert operators as paid sources, but also recognizes its eagerness to do as such (Brodeur, 2010). The ramifications of this trademark are twofold: the high policing specialists not just make utilization of furtive performing artists to chip away at their sake, yet utilize them to strike fear into the core of the general population. Brodeur (Ibid) additionally opines that the covert operators work mostly to serve the "spongy" part of high policing said in the primary segment, yet in addition to terrify potential dissidents into trusting that there is a significantly bigger policing nearness than there really is, which serves to additionally avert potential activities against the theocracy.

The way toward accomplishing change in law enforcement structure is in no way an easy transition, and likely will require a lot of assets and devotion by the two legislators inside the nation and also some outside performing artists. Fichtelberg (2013) accentuates that this change isn't an overnight event, and can't be portrayed by a sudden "profound change". It requires exertion from not just the administration and their law implementation powers to restrain their police powers, yet in addition exertion from society everywhere to stay attentive should those organizations slip back to their non-democratic ways. Fichtelberg portrays an assortment of alternatives for how a progressing society can meet these necessities for their law requirement structures. The endeavors so proposed must be from the general population who frequently shape discernment about the police law enforcement practices are past what the law requires.

One incorporates the utilization of approaches such as problem-oriented policing and community policing where in law authorities are required to interface with its constituents on a more individual level and hence police responsiveness to open needs is made. Another alternative is the decentralization of police structures by spreading out workplaces and dispersing specialist to bring down levels of policing (city, region, and so on). Fichtelberg (2013) observes that a key normal for undemocratic policing is an inalienably unified police drive that holds a restraining infrastructure on the use of force against its citizen, and by decentralizing that police control, power law enforcement forces turn out to be less ready to utilize that force to debilitate democratic progress.

Kappeler, (2002) argues that the law enforcement agencies have been under noteworthy weight from the public to be responsible for their conduct. It's critical to realize that specific enforcement practices for the most part result in oppression casualties. As the results of uncalled for police practices, pressure between the criminal equity framework and the public, especially in minority groups, keeps on putrefying. Abusive police practices that go under legal and open investigation incorporate self-assertive judgments, social liberties infringement, utilization of intemperate power; aberrance, for example, taking influences, taking part in moral and political defilement, and advancing their own self-premium. With developing open attention to police faculty at both the authoritative and street level, agencies must be tireless in keeping up their enforcement practices.The law enforcement agencies have a vital part in regulating public behaviour, while in the meantime it must shield its residents from unreasonable interruption, and unreasonable and unequal treatment by its specialists or agents (Charles, 2002). This authority to uphold laws, avoid misrepresentation and crimes, shield residents from security, good, and well-being risks, and maintain social and public order, is constrained by the essential primary law, the constitution.

2.4 History of Kenya Police Service and Law Enforcement Practices

The Kenya Police Service submits in its central goal, to give quality police administration to meet the desires of people in general by maintenance of law and order and keeping up solid group associations for helpful social, monetary and political advancement. The Kenya Police Strategic Plan (2004-2008) points out that "culture and state of mind change is a basic vital activity" for the effective crime control. Further, more sets out the perfect practices and demeanors that the association should grasp keeping in mind the end goal to wind up plainly benefit to the larger community in the world. Crime rates in Nairobi have been escalating

even after 2010 with 20% of the aggregate violations carried out being office-relatedcrimes (The Kenya Police Crime Report, 2010). This could be perhaps attributed to cutting-edge crime aptitudes, proliferation of small arms used by small-time criminals and the mass release of exiles and convicts form jail into the nation from neighboring countries too.

The Kenya Police Force (KPF) authorities endeavour to guarantee fundamental difficulties of state policing in Kenya. However due to the developing insufficiency of the state to give the necessary infrastructure to policing, such as, operational hardware, equipment and facilities, this has not borne any benefits as observed by (Ndung`u, 2008). The effects of "basic savagery" in the Kenyan lifestyles have likewise exasperated the affinity of people to engage in criminality and caused anxiety and among the citizens and by extension bringing more pressure and challenges to the police force. According to Ndung'u, (2008) the expansion in criminal activity has led to the formation of special units aimed at bringing down crime to minimal levels.

The 2010 Constitution of Kenya raised expectations among the common man to improved and professional capacity to convey effective and productive policing particularly in Nairobi County. This opened way for the security sector to make progress from the rise of crime prevention activities through group policing of in the context of variable neighborhoods. Group policing, which is the fundamental board of state policing administration in Kenya and numerous cutting-edge popular governments around the world, is truly a bottom– up approach that goes for policing in organization and with the assent of the general population. Community policing adopts different systems to build trust and partnership with the police including connecting with community stakeholders to discover their necessities, open contribution in knowledge and neighborhood reconnaissance, the creation of police posts and contact workplaces inside short intervals in residential neighbourhoods, sensitization of the public to the needs, difficulties and challenges of the police with a view to eliciting understanding and sundry supportive actions.

Since it was introduced in Nairobi under the Kibaki administration, community policing has been reached out to different parts of the nation. Apparently, there has not been autonomous effect assessment of the advance made and issues and difficulties experienced in community policing in Kenya (Omeje, 2008). Consequently, despite the fact that the arrival to multi-partyism in the post-Moi time made an incredible open door for reforms and transformation, this appears to have quickly disappeared as confirm amid the 2008 post-election violence.

The insufficiency of the KPF was discernable amid the brutality as they appeared overpowered and ill-equipped to handle the circumstance (Ndung`u, 2008).

Kenya lacks a model to impose business of the true blue utilization of power maintain law and order, and in addition to ensure interior and outside sway in an advanced state when considering the Weber Pespective.Mueller(2008) posits thata key the signs of state sway in the contemporary universal framework is the capacity to ensure the security of its citizens. However, from accessible observational markers, the Kenyan state apparently fits into the shape of states in Africa classified as frail or delicate, given the divided idea of policing and security areas in the nation. Evidently, the Kenyan state, like many in Africa and elsewhere in the developing regions, can hardly ensure security for it citizenry (Omeje, 2008).

The Independence Constitution of 1963 conceived an expert and unbiased police drive. It likewise envisaged that the police would be set up by enactment and supervised by a Police Service Commission and a National Security Council. The Inspector General (IG) of Police was to be selected by the president on the guidance of Police Service Commission (Ghai, 2002). In 1964, a protected change saw the police turn into an expansion of the civil service by evacuating the power freedom and its operational self-governance (CHRI, 2006).Over the last two decades, Kenya has made several efforts to reform the police force (World Bank; 2009, CHRI; 2006). The promulgation of the Constitution of Kenya on 27th August, 2010 changed the name of the policeforce to police service, connoting an endeavor to move far from police oppression to a service oriented policing. A portion of the turning points so far include the order of key enactments and appointments of key office holders.

Already under the flag of Governance, Justice, Law and Order Sector Reform Program (GJLOS), the Kenya government had kept on pursuing police reforms by perceiving that the police was a pivotal institution, as well as, a player in the criminal justice system. This saw the introduction of sets of principles and enhancing nearby police service conveyance endeavoring to move from responsive to proactive policing, upgrading crimes reporting strategies as an administration to casualties, giving better equipment and specialized help to advance insight drove examinations among others (World Bank, 2009; CHRI, 2006).

Radical changes were seen in Kenya after the notorious 2007/2008 post-election violence which saw many innocent people lose their lives and thousands displaced from their homes. This prompted the development of a commission of request led by Justice Philip Waki, which

one of its discoveries was that police completely did not have the ability to contain the viciousness and, in a few examples, they affected the brutality by taking political sides. On this finding, the report prescribed for important and critical police reforms to turn away repeat of such high size infringement of human rights (Waki, 2008). Educated by Waki report, the Government shaped a taskforce on police reforms which was led by Justice (Rtd) Philip Ransley. The taskforce acquired vigorously from the two police vital plans i.e. (police key arrangement 2003-2007 and 2008-2012 and directed open hearings), which included oral and composed entries from the public, common social orders and every single intrigued partner.

The taskforce additionally directed research from several countries around the globe on the world guidelines and best practices on policing. After an intensive report, the taskforce thought of more than 200 proposals on police reforms in Kenya; key to which were the merger of the two police powers into one, difference in the name from a force to service, establishment of the office of the IG, establishment of the National Police Service Commission(NPSC), establishment of the IPOA, establishment of the Internal Affairs Unit , audit of the police preparing educational programs, screening of all cops, retraining of all cops, change of the police positioning structure, buy of enough operational assets and change of the general welfare and terms of administration of police officers (Ransley, 2010).

The Ransley suggestions were collectively embraced and envisaged in the new constitution, which was promulgated in 2010. With an end goal to operationalize the constitution and make police reforms a reality, the Government initiated the publication of the National Police Service Act (NPSA), the National Police Service Commission Act (NPSCA) and the Independent Policing Oversight Authority Act. The usage of these authoritative systems conveyed with it the guarantee of important police changes, trailed by the foundation of the three center organizations - IPOA, NPSC and the IGP. The Independent Police Oversight Authority Act 2011 accommodates an autonomous nonmilitary personnel body to investigate complaints against the police; the National Police Service Act 2011, operationalize how two past outfits, the KPS and the Administration police(AP), will answer to a solitary command, and furthermore accommodates the confirming of individuals from the police constrain by the Commission, with a view to reestablishing certainty and integrity of the service while likewise taking care of recruiting, vetting, enrollment, promotions and discipline of police officers. The Police Strategic Plan 2003-2007, prepared under the sponsorship of the GJLOS

Reform Program built up an establishment and identified increased security as one of the indicators against which police was to be measured.

The police vital arrangement started by perceiving the deficiencies of the NPS which included low confidence, deficient assets and endemic debasement and corruption. It additionally admitted to the public absence of confidence in the police and recognized the affirmations of brutality, fierceness, guiltiness, and human rights abuses leveled against the police. The arrangement yielded that the poor open discernments towards the police were supported and brought about low levels of crime reporting (Kenya Police, 2003) as the perpetrators (Muchai, 2003). From the elucidation above, there was clear lack of documented information on how the public perceived National Police service law enforcement practices from the establishment of the police from independence Kenya. The study therefore focused on these gaps in order to give an empirical picture on the inadequacy of public knowledge and information on KPS law enforcement practices and make necessary recommendation and make known this information.

2.5 Effectiveness of Police Law Enforcement Practices

There is no doubt that the effectiveness and efficiency of the Kenya Police Service have been under stress and adversely affected by various problems such as inappropriate policing orientation and strategies with emphasis on reactive instead of proactive/preventive measures, brutality against citizens, including extrajudicial killing, corruption and extortion, poor performance in the areas of intelligence analysis and utilization as well as investigation and perversion of the course of justice. Kenya's 2010 constitution fundamentally shifted the legal basis for national policing.

The constitution provides for an ambitious set of reform processes aimed at addressing a long-term perception of the police in Kenya as abusive, corrupt, and ineffective. The reforms were intended to transform the police into a modern, accountable, and responsible service. IMLU's 2008 report entitled *Quest for Justice* describes that the leading type of violations by police reported up to 2008, remain to be categorized as cruel, inhumane and degrading treatment (33%), sometimes with combinations of acts of torture, with people who experienced both torture and cruel, inhuman and degrading treatment comprising 17% of all cases reported (IMLU,2008).

The slow pace of the police reforms also impacting negatively to the much-anticipated shift in some of the law enforcement practices. There are fears of unsupportive political will to realize the much-desired police reforms. This is because the National Police Service Act (NPSA), assented to in 2011 took a long time to be gazette or even be given commencement date.

However, the last two decades, Kenya has made several efforts to reform the police force (World Bank; 2009, CHRI; 2006). The promulgation of the Constitution of Kenya on 27[th]August, 2010 changed the name from police force to police service in signifying an attempt to move away from police high handedness to a service-oriented policing for Kenyans. Some of the milestones achieved so far include the enactment of key legislations and appointment of key office holders.

Kenya's Vision 2030 lays accentuation on wellbeing and security as essential columns for economic development. Thus, Vision 2030 and the constitution give the premise to colossal police service reforms. Kenya acquired its security structure from the British provincial government which has continued and which has remained the same for over 50 years. Security of the nation is of paramount importance if the nation is to understand the fantasy of being a center wage nation by 2030. Kenya Police long and not all that great history is described by inefficiency and wastefulness, debasement, disregard for the rule of law, police brutality and blatant abuse of human rights (Auerbach, 2003).

The moderate advance of actualizing the NPS reform agenda expands occurrences of gross human rights infringement and furthermore restrains the reaction and readiness of the NPS in releasing its constitutional mandate to nationals. For instance, the NPS was unable and /or incapable and additionally unequipped for avoiding, overseeing and containing the 2007/2008 post-election violence and in most cases police officers occupied with widespread human rights abuses, infringement and exorbitant excessive use of brutal force on unarmed regular citizens as announced by the Waki Report on Commission of Inquiry into 2007/2008 Post-Election Violence (CIPEV).

There was an expectation that with constitution 2010, infringements of human rights and fundamental freedoms would significantly decrease, especially police brutality which is perpetrated on the premise of law enforcement practices. Nevertheless, this has not been the case even after it has been observed that, human rights violations serve neither as a hindrance

to crime, nor does it secure the physical safety of the officers in the line of duty. Unlike to Kenya's revoked constitution that was a cold valueless statute, the 2010 Constitution puts forth an admirable attempt to give the country a moral aspiration. Articles 10(2) a-b celebrate rule of law and human dignity as national values.

Article 19(2) insists that the purpose of recognizing and protecting human rights and fundamental freedoms is to preserve the dignity of individuals and communities. For example, the Commission of Inquiry on Post-Election Violence, the "Waki Commission" issued its report detailing that at least 405 deaths and 962 maiming's were caused by police shootings, and calling for a special tribunal to prosecute the perpetrators (Muchai, 2003). In conclusion, there is an apparent knowledge gap as regard sperceptions of business community on Kenya Police Service law enforcement practices in Nairobi Central Business District. This has not been covered in the above studies.

2.6 Theoretical Framework

This study was informed by the theory of symbolic interactionism as propounded by Herbert Blumer (1969). Symbolic interactionism posits that social members in a social circumstance are always arranging a mutual meaning of the circumstance, considering each other's perspectives, and deciphering each other's conduct preceding executing an activity has an incentive for examining conflict. This theory was helpful to demonstrate how one-party actions (police) are deciphered, or misconstrued, lead the second party (people in general) to react in view of their (mis) translation. Symbolic interactionism is established on the examination of three noteworthy premises. One of the introduce lays on the possibility that the significance of these things is gotten from the social association one has with different people that are a piece of one's life. Accordingly, it's fundamental to take note that perceptions and translations of actions are one part of the multifaceted issue that is Kenya Police Service and the public tension and conflict.

Indeed, misrepresentation, by all accounts appears, to be one factor that adds to determined nature of the contention between the two sets of groups, which is the Police on one side and the Public on the other. As opposed to inalienably respond as non-symbolic collaboration recommends, the police and people in general translate each other's activities with a distrustful eye and respond in like manner. The way that individuals act and react toward things in light of the implications those things convey for them may seem, by all accounts, to

be a characteristic, sensible point; in any case, the thought is regularly overlooked in the scholastic field of human science. Importance is underestimated or depicted as an impartial connection between different elements in charge of human conduct. Sociologists and therapists see the different elements that play upon people contrastingly while clinicians swing to variables, for example, jolts, states of mind, intentions, and discernments, sociologists look to social parts, positions, requests, standards and values, and social medicines to clarify conduct. To make it a stride further, symbolic interactionism recommends that the implications that things have for people are focal in their own right. The idea of human culture or human gathering life is comprehended with regards to people who take part in real life. Activity is characterized as multitudinous exercises an individual executes as they experience different people and their response to the ceaseless circumstances people wind up in as they advance through life.

In conclusion therefore, while police are supposed to do their jobs, there will be misrepresentations and perceptions as symbolic interaction assumes that people take dynamic control of their needs and wants, the needs and wants of others, and decide the best game-plan. It is in the sphere of such activities that structure and organization exist and the interaction between the public and the KPS exist. Symbolic interaction will be significant in informing this study.

2.7 Conceptual Framework

Independent Variable

Dependent Variable

PERCEPTION OF KENYA POLICE SERVICE
1. Perception of Business Community
- Rights of arrested person
- Problem oriented policing
- Fundamental freedom protection
2. Effectiveness of Kenya Police Service
- Maintaining law and order
- Police Patrols
- Procedural justice
- Hot Spot Policing
3. Level of cooperation between public and KPS
- Community Policing
- Sanctioning of criminal behavior
- Good cooperation mechanisms
- Police legitimacy

LAW ENFORCEMENT PRACTICES
- Stakeholder involvement
- Policing Infrastructure sufficiency

- Legal Framework
- Police Service culture

Intervening Variables

Figure 2.1: Conceptual Framework

There are three variables that inform public perception of Kenya Police Service law enforcement practices as shown in Figure 2.1.The perception of business community on Kenya Police Service law enforcement practices, the perception on the effectiveness of Kenya Police Service on law enforcement practices and the public perception on the level of coorperation between the public and the Kenya Police Service on law enforcement will understandably help in forming a certain perception about the KPS.First, individuals act toward things in light of the significance those things convey for them. "Things" include anything from physical items like tables and seats, to different people, organizations, controlling beliefs, exercises of others, and circumstances that emerge as a component of day to day life. The second preface lays on the possibility that the importance of these things is gotten from the social cooperation one has with different people that are a piece of one's life.

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The third and last commence is that these implications are changed through an interpretative procedure utilized by the individual managing the things he or she may experience. For instance, victim satisfaction with the police in forms how one will form a perception and that personal treatment by the police seems to be more important in driving satisfaction than criminal justice outcomes. Consequently, how officers interact with victims, for example in demonstrating interest in what they say, can positively impact on victim satisfaction.

CHAPTER THREE
METHODOLOGY

3.1 Introduction

This chapter outlines the methodology of the study. It also presents descriptions of the study area, research design, population of the study, sampling procedures and sample size, data collection instruments and procedure, as well as,data analysis technique.

3.2 Research Design

This study used survey research design which entailed the use of questionnaires and key informant in-depth interviews to collect data from the public. According to Kothari (2004), survey allows the researcher to define the problem more concisely by obtaining insight into the relationship between variables and new ideas relating to the research. This type of design gathered information from selected members of business community in NCBD. Owing to the sensitive nature of this topic under study, this design offered an atmosphere where the respondentsexpressed their views on exploration of Public Perceptions on Kenya Police Service Law Enforcement Practices in Nairobi Central Business District (2010-2016).

3.3 Study Area

The site of the research was NCBD as shown in Figure 3.1. Founded in 1899, Nairobi was and remains the epicenter of Kenya's administration and commercial capital. It occupies an area of 696km sq. Nairobi city had been experiencing rapid expansion hence not spared the vulnerability of emerging crimes, from petty crimes to convoluted ones like organized crime. In 2001, the United Nations International Civil Service Commission rated Nairobi among the most insecure cities in the world, classifying the city as "status C." In the year 2010 alone, percentage level of reported crimes rose by 28% (Kenya Police, 2010).

The police have been accused of high handedness when handling hawkers in NCBD. Additionally, previous researchers have also observed appropriateness of Nairobi for research into issues concerning police officers (SRIC, 2012).
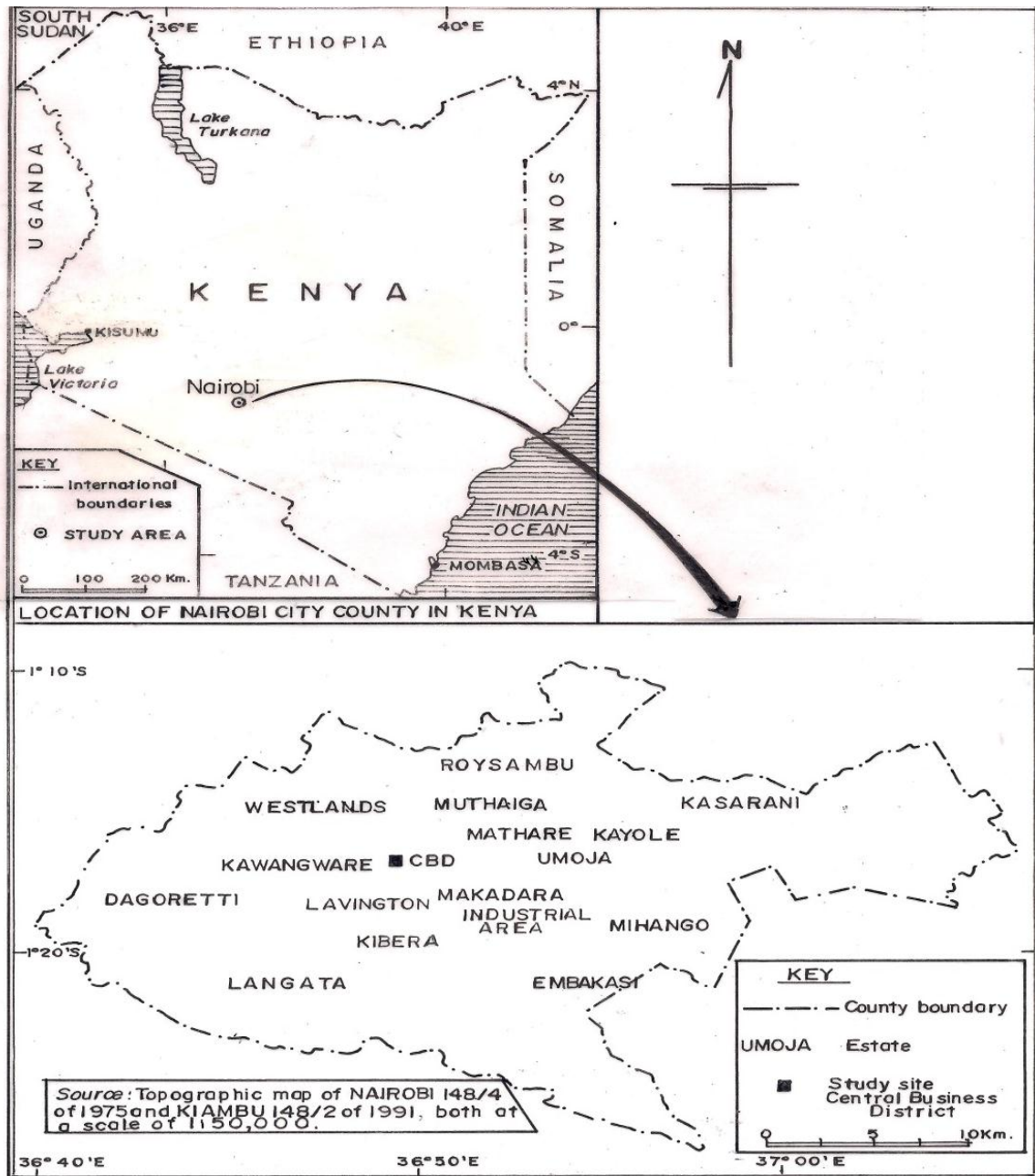
Figure 3.1: Map of Study Area
Source: Topographic Map of NAIROBI 148/4 of 1975 and KIAMBU 148/2 of

   1991

3.4 Target Population

The population of this study was drawn from the members of business community who carry out their business in the NCBD. The target population was one thousand two hundred (1,200) small and medium business enterprises in Nairobi Central Business District which is the area between Uhuru highway, Haillesallassie Avenue, Moi Avenue and University way. The considered enterprises were Hawkers, transport Matatu Sacco's, shop attendants and

hoteliers.Additionally,12 key informants from business community leaders, Officers Commanding Stations and selected CSOs, NGOs, in NCBD were involved and were purposively picked for this study.

3.5 Sampling Method and Sample Size

Members of the business community who run shops, restaurants, bars, supermarkets in Nairobi Central Business District were stationed in different geographical distinct places between Uhuru highway, Haillesallasse Avenue, Moi Avenue and University way. Stratified random sampling technique was therefore used to draw respondents from the study population. According to Kothari (2004), stratified random sample provides detailed information and more reliable data in any study. The small and medium business enterprises in NCBD constituted the strata from which the respondents were further randomly selected to give them equal chance of participating in the survey. The considered enterprises were Hawkers, transport Matatu Sacco's, shop attendants and hoteliers. This method was advantageous since it reduced costs by concentrating the survey in randomly selected samples within each stratum as estimates based on each stratum were more reliable per unit cost. According to Gay (1981) at least 10% of study population was an appropriate sample size for the research. Kilemi and Wamahiu (1995) also concurred with the formula. Therefore, the sample size for the study was 120 which represented the 10% of the 1200 respondents from the study population. Furthermore, a total of 12 key informants were purposively selected from Business Community Leaders, Officers Commanding Stations and /or Division and selected CSOs, and NGOs, engaged in security sector.

3.6 Research Instruments

A semi-structured interview schedule was used to collect interview data from the Business Community Leaders, Officers Commanding Stations and/or Division and selected Civil Society Organizations (CSOs) in NCBD due to its flexibility to gather in-depth data that provided insights in relation to the research questions. The questionnaire comprising likert type items were used to collect data from members of the public due to its ability to collect information from large population in a relatively short time and uphold confidentiality (Kothari, 2009). In this study the questionnaires are the most appropriate tools and also when there are a relatively large number of sampled respondents. The instrument was structured in such a way that it majorly captured data pertinent to study objectives.

3.7 Methods of Data Collection

This study used questionnaires and interview schedules to collect primary data from the respondents who included the members of the public and key informants like the Business Community Leaders, Officers Commanding Stations and /or Division and selected Civil Society Organizations. Interview is considered a powerful method of data collection because it provides one-on-one interaction between researchers and the individuals or groups being studied (Rapley, 2007).

Secondary data collection in this study involved collecting and reviewing data documented by individuals or institutions in the form of reports, books, and manuals previous reports documenting the interaction of the police and the public perceptions in Kenya and those relevant to the entire study. Therefore, credible sources of information such as government agencies and institutions, civil society organizations, books, and journal articles were sourced when collecting secondary data to maintain accuracy.

3.8 Validity and Reliability

For quality control, the instruments were piloted so as to ascertain the content validity of the instruments. Validity measures whether the instruments to be used in data collection would bring out the type of responses expected (Kombo & Tromp, 2006). The instrument was given to 20 individuals from a population different from the one under study but bearing similar characteristics to give their views on the relevance of the questions using a 4-point scale of relevant, quite relevant, somewhat relevant, and not relevant. The content validation established that the items in the instruments were adequate in providing the data expected from the study as 8, 6,3 and 3 respondents indicated that the questions were relevant, quite relevant, somewhat relevant, and not relevant respectively. This implied that the instruments were relevant and representative.

Reliability is the extent to which a tool yields data that is free of variable error and is usually achieved when repeated measures of the same variable show limited variation (Kombo &Tromp, 2006). Reliability was ascertained using data obtained from the pilot study. Cronbach-alpha technique was used. An index of 0.65 was considered adequate for this study. This indicated that the instruments used to collect data from the respondents were dependable hence reliable and yielded good results.

3.9 Data Analysis

This survey was mainly geared towards generating both qualitative and quantitative information on the progress and challenges of police reforms in Kenya. Quantitative data were analyzed using descriptive statistics which included frequencies, percentages, cross tabulations. On the other hand, qualitative data from key informant interviews and in-depth interviews were coded and placed under various themes based on the objectives of the research.

3.10 Ethical Considerations

In conducting the study, the researcher strived to adhere to research ethical guidelines. The researcher sought a research permit from NACOSTI to legitimize this research work. To enhance research ethics,the researcher adhered to the principle of voluntary participation in which the interview participants were not coerced to participating in this research. Prospective research participants were informed about the procedures and objectives for this research and gave their informed consent to participate. The research also guaranteed confidentiality and anonymity in that the participants were assured that information would not be made available to anyone who is not directly involved in this study. Finally, the researcher sought and showed the permit to confirm to the respondents that indeed the study was authorized to be conducted in the study area.

CHAPTER FOUR
RESULTS AND DISCUSSION OF FINDINGS

4.1 Introduction

This chapter presents the findings based on the research objectives. The study sought to explore perceptions of business community on Kenya Police Service law enforcement practices in Nairobi Central Business District. The research was conducted on sample size 120 and total of 12 key informants.The specific objectives of the study were first, to explore the perception of business community in NCBD. Second, to assess public perception on the effectiveness of Kenya Police Service in law enforcement in NCBD and third to interrogate the level of cooperation between the public and the Kenya Police Service on law enforcement practices in NCBD. This was achieved through analysis of the primary and secondary data based on themes derived from the objectives of the study. This chapter also presents the profiles of the respondents that informed this study.

4.1.1 Demographic Information about respondents

This study sought to establish the demographic information concerning the respondents in NCBD who participated in the study as way of assessing their suitability. The findings are summarized in subsequent sections.

4.1.2 Response Rate

Piloting was done before the instrument was used in actual data collection. A sample questionnaire was given to twenty respondents who were engaged in various businesses in Nairobi CBD but were not part of the actual sample. The tool was then checked for completeness, ambiguity and language. Necessary adjustments were made before the actual data collection exercise. Prior to the survey, a critical review of the study instrument was done in comparison with the literature review so as to ensure that the interview schedule captured all the necessary facets to facilitate precise insight intothe perceptions of business community on Kenya Police Service law enforcement practices in Nairobi Central Business District. High survey response rates help to ensure that survey results are representative of the target population. This response was good enough and representative of the population.
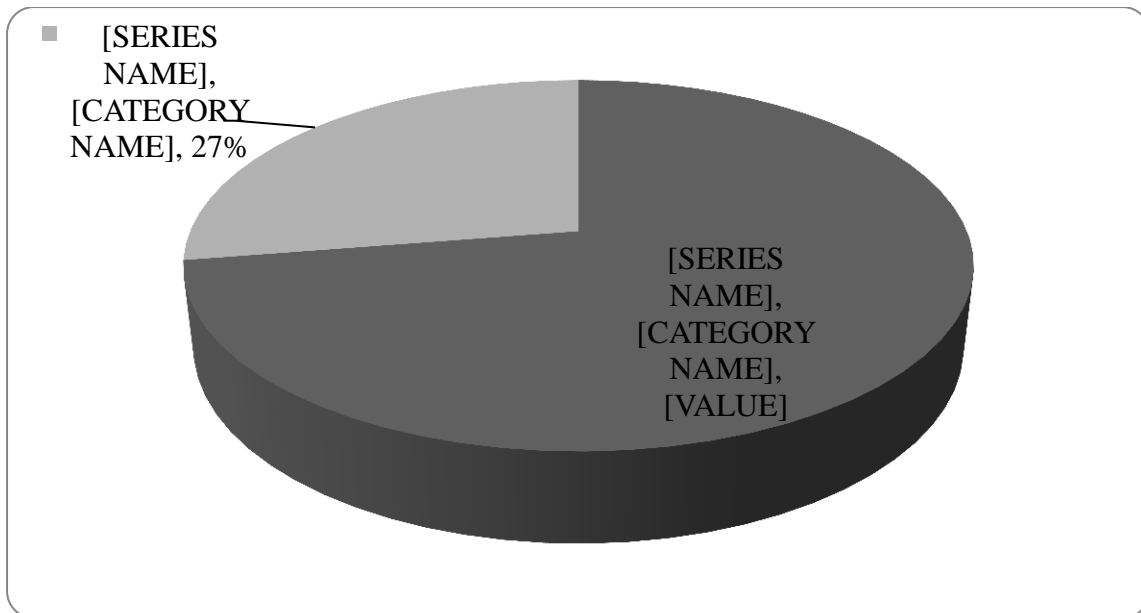
Figure 4.1: Response Rate

Source: Field data (2016)

4.1.3 Gender Distribution

The respondents were asked to indicate their gender, (68%) of the respondents were male while (32%) were female. These statistics show that both genders were well represented and the responses given were therefore representative with regards to gender. This implies that majority of respondents were male and therefore were the dominant people operating businesses in NCBD.

The finding is presented in Figure 4.2.
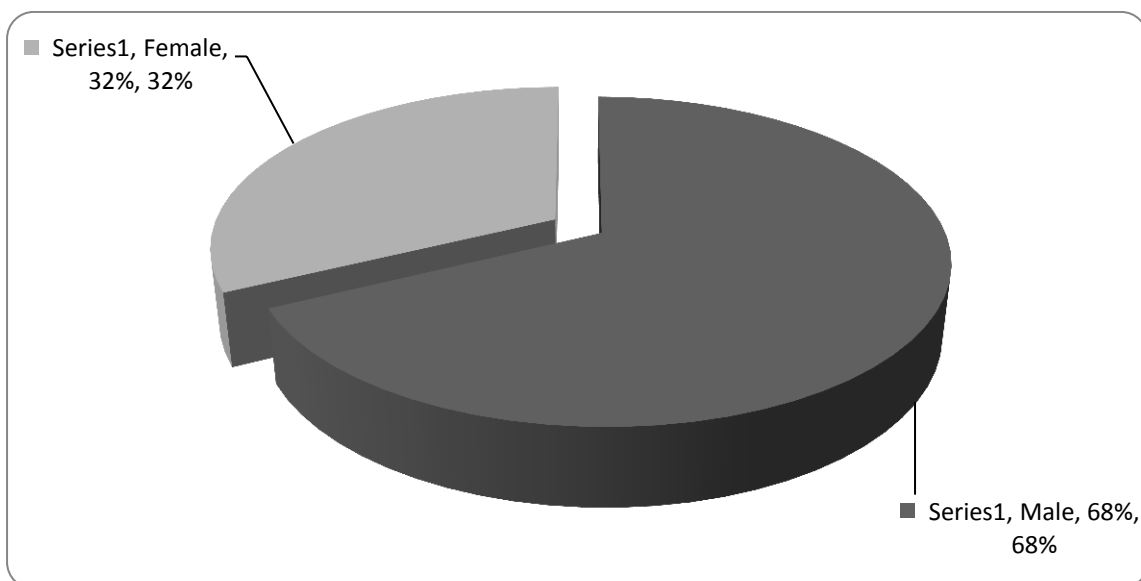
Figure 4.2: Gender Distribution

Source: Field data (2016)

4.1.4 Age of Respondents

The study sought to determine the age distribution of the respondents. The finding is shown in Figure 4.3.
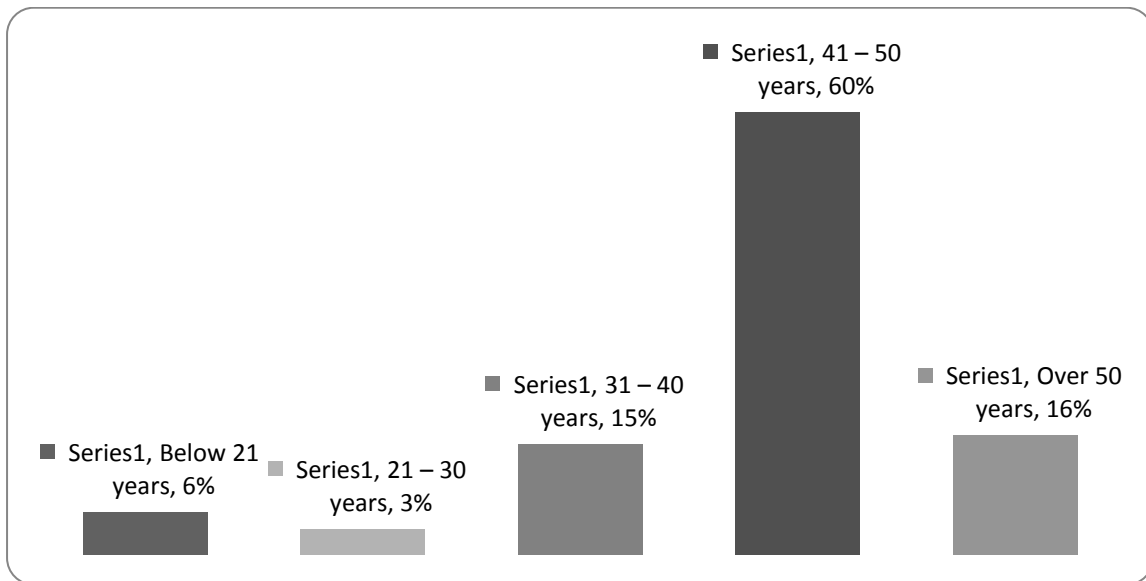
Figure 4.3: Age distribution

Source: Field data (2016)

From the findings, 3% of the respondents were below 21 years, 6% were between 21-30 years, 15% were between 31-40 years, 60% were between 41-50 years and 16% were over 50 years. The findings show that the respondents were evenly distributed across adult age groups, and therefore, the findings are more representative of the Kenyan adult population. The findings also show that persons aged 41-50 had the highest representation as they accounted for 60% percent of the total respondents, signifying that they had carried out business for a long time and had interacted more with the Kenya Police and other law enforcement officers. They were, therefore, appropriate for shedding light and giving information concerning this study. In the business world and in Kenya specifically the Law of Contract Act Cap 23 determines who can transact and enter into legally binding contracts. A minor or a person of minority age cannot transact and /or enter into legally binding business or contract. Since business is all about transacting and engaging in contracts and assuming all responsibilities that come with business it explains why very few persons under the age of 21 were less involved. Figure 4.3 shows that 60% percent of the respondents were aged between 41-50years thus confirming the fact that most people with businesses in the NCBD were people of majority age and were active in carrying out business.

4.1.5 Duration in Nairobi Central Business District

The study sought to determine the duration of time they have been in Nairobi Central Business District. The finding is shown in Figure 4.4.
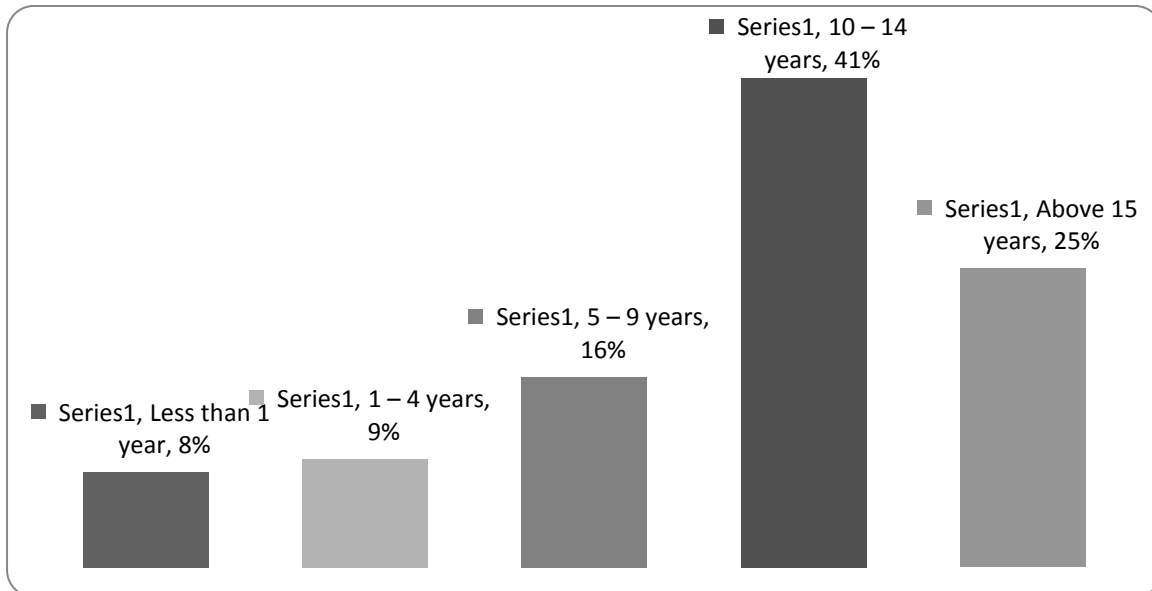
Figure 4.4: Duration in Nairobi Central Business District

Source: Field data (2016)

From the responses, 8% of the respondents had been in NCBD for a period less than 1 year, 9.2% indicated 1-4 years, 16% indicated 5-9 years, and 41% indicated 10-14 years and 25% indicated above 15 years. From the findings, it is a clear that 66%, the respondents had been in the NCBD long (10-over 15years) enough thus the information they provided was relevant and more reliable for the study, as they had interacted more with Law enforcement officers. The fact that the 41% percent (10-14years) and 25% (Above 15years) represented the highest numbers of people points to the fact that they had interacted more with the police and were well aware of the problems and challenges thus competent enough to speak about them as it shows that they had conducted and/or lived long enough in NCBD.

4.2 Perception of business community on Kenya Police Service law enforcement practices.

The first objective of this studysought to explore the perception of business community on the Kenya Police Service Law Enforcement Practices in Nairobi Central Business District. The research question was; what is the perception of business community on Kenya Police Service law enforcement practices in NCBD? Table 4.1 carries the responses to the research

question.In line with this need several statements on how people feel about KPS law enforcement practices within the Nairobi Central Business District were identified and the respondents were required to indicate to the extent to which they agree. A scale of 1-5 where: 5= Strongly agree, 4= Agree, 3= Neutral, 2= Disagree, and 1= Strongly disagree was used. The responses,frequencies and percentages were calculated for ease of interpretation and generalization of findings.

Table 4.1: Perception of the business community of Kenya Police Service law enforcement practices

	Strongly agree		Agree		Don't Know		Disagree		Strongly Disagree	
	F	%	F	%	F	%	F	%	F	%
The police service ability to prevent crime in NCBD	6	6.9	7	8	11	12.6	37	42.5	26	29.9
Police service protects the rights of an arrested person.	5	5.7	4	4.6	9	10.3	40	46	29	33.3
Police service does not engage in unlawful deprivation of life.	6	6.9	6	6.9	15	17.2	35	40.2	25	28.7
Police service employs arbitrary judgments in dealing with citizens in the NCBD.	4	4.6	4	4.6	13	14.9	24	27.6	42	48.3
Police service employs problem-oriented policing to improve service delivery in the NCBD.	6	6.9	7	8	6	6.9	43	49.4	25	28.7
Police patrols in the NCBD are sufficient to deter crimes.	6	6.9	4	4.6	18	20.7	30	34.5	29	33.3
The police service recognizes and protect human rightsand fundamental freedoms of the public in the NCBD	5	5.7	2	2.3	15	17.2	35	40.2	30	34.5

Source: Field Data (2016)

Table 4.1shows that 29.9 % of the respondents strongly disagreed that police service had ability to prevent crime in NCBD. A total of 42.5 % of the respondents disagreed that police service had ability to prevent crime. The respondents who agreed that police service had ability to prevent crime were only 8%. The findings indicate that majority of the respondents disagreed that police service had ability to prevent crime within the NCBD. These findings were supporting the National Police Service Annual Crime Report for the year 2011 which reported an increase in all categories of crime reported to police. The crime figures reported nationally increased by 4,954 cases or 7%, as compared to the year 2010. Records showed that Nairobi had 40% increase of crime reported. This finding implies a loss of confidence in

police ability to prevent crime among the business community. This finding was further supported by one key informant (K.I-001)who succinctly put that,

> ….much police work is reactive and incident-focused rather than proactive and strategic in Nairobi. Efforts to shift policing towards a more effective and sustainable approach to crime reduction have been few and far between. Although the police do much more than fight crime responding to civil emergencies, maintaining order and even undertaking social work they still constitute the front line in tackling crime.

As regards to whether the police service protect the rights of an arrested person and do not engage in arbitrary arrests within the NCBD, the findings showed that 33.3 % of the respondents strongly disagreed that the police service protect the rights of an arrested person and do not engage in arbitrary arrests while only 5.7% of the total respondents strongly agreed. A total of 46% of the respondents disagreed that the police service protects the rights of an arrested person and do not engage in arbitrary arrests. The respondents who agreed that the police service protect the rights of an arrested person and do not engage in arbitrary arrests were only 4.6 %. The findings indicate that majority of the respondents disagreed that the police service protect the rights of an arrested person and do not engage in arbitrary arrests. This finding was further supported by Independent Police Oversight Authority (IPOA) 2013 Baseline Survey on Policing Standards and Gaps in Kenya, which indicated that near one third (30%) of respondents had experienced police malpractice including police brutality, arbitrary arrests and threat of imprisonment. These acts also constitute degrading treatment prohibited by the Constitution of Kenya 2010. The constitution under Article 28 and 29 provides that;

> Every person has inherent dignity and the right to have that dignity respected and protected. Article 29 is to the effect that every person has the right to freedom and security of the person, which includes the right not to be (a) deprived of freedom arbitrarily or without just cause;(b) detained without trial, except during a state of emergency, in which case the detention is subject to Article 58;

This study sought to find out as to whether police service does not engage in unlawful deprivation of life, Table 4.1 shows that 28.7% of the respondents strongly disagreed that police service did not engage in unlawful deprivation of life. A total of 40.2% of the respondents disagreed that the policeservice did not engage in unlawful deprivation of life. The respondents who agreed that police service did not engage in unlawful deprivation of life were only 6.9%. The findings indicate that majority of the respondents disagreed that the Police Service does not engage in unlawful deprivation of life. Most of the respondents also

agreed that there were numerous allegations of government police officers committed unlawful killings, particularly of known or suspected criminals, including terrorists. Most respondents who disagreed that police do not engage in unlawful deprivation of life also argued that they had relatives or close friends who were victims of extrajudicial killings in NCBD.

The respondents complained that these acts also constituted a violation of the Constitution of Kenya 2010. The Constitution under Article 26 (1), Provides that every person has the right to life. The Independent Policing Oversight Authority's Performance Report for the six month sending 31st December2015 covering a total of 1,203 complaints indicated that "…the Authority remains concerned over the number of shooting recorded at 53 during the period". These assertions were also supported by Philip Alston's (2009) report on extrajudicial killings which attributed the unwarranted deaths of citizens to police activity. The respondents adversely mentioned the Kenya Police Service as responsible for the majority of deaths by gun violence. Some respondents in fact alleged that the number of extrajudicial killings was significantly underestimated due to underreporting of security force killings in back streets in NCBD. This statement additionally upheld by IMLU in a report named Upscaling Torture Prevention and Response in Kenya National Torture Prevalence Survey of 2011, which recorded that,

> …there were allegations of Police unlawful killing and which were rarely investigated by the authorities, and the perpetrators were rarely tried and convicted of the crime committed, and where unreasonable force issued. That Sixty three percent of the Kenyan people were unhappy with the police performance owing to claims of corruption, brutality and a culture of extrajudicial killings

There were several organizations at the start of 2014 documented alleged extrajudicial killings or disappearances committed by police officers. In August 2014, Human Rights Watch (HRW) reported on killings and disappearances, alleging a pattern of extrajudicial killings by elements of police. It documented 10 killings and 10 enforced disappearances. Preventing and detecting crime and preserving the public peace have been the central mandate of the police since its inception in Kenya. In practice, the police spend a large proportion of their time performing other roles like responding to emergencies; protect vulnerable people, preventing terrorism.

On the respondents view on whether the police service was employing problem-oriented policing targets to improve service delivery and reduce crime levels significantly in the NCBD,6.9% strongly agreed, 8% agreed, 6.9% were neutral, 49.4% disagreed and 28.7% strongly disagreed. The findings indicate that majority of the respondents disagreed that the police service was employing problem–oriented policing to improve service delivery. One key informant from the Nairobi based Muslim community business leader (K.I-002) said that while other traditional methods focused on enforcement resources on hotspots, this approach reduces crime with significant success as when implemented successfully. In his own words he asserted that,

> …the problem-oriented policing aims to reduce crime proactively and sustainably by focusing on the most important problems identified by local communities, using careful analysis to define problems and inform multi-agency solutions.

Another Key informant from the Kenya Police Service (K.I-003) was of the view that there is solid proof that problem-oriented policing diminishes crime; however, it is hard to actualize effectively. Heasserted that,

> …on numerous occasions the public needed the police to be proactive in identifying underlying problems that could be targeted to alleviate crime and disorder at their roots. The police should focus more on problems and not on the everyday management of police agencies since they have to deal to deal with an array of problems in the community, which not only includes crime but also social and physical disorders. The police should expand the tactics of policing beyond the law enforcement powers that were perceived as the predominant tools ad also need on not only the criminal law but also on civil statutes and rely on other municipal and community resources if they are to ameliorate crime and disorder problems successfully.

This study also sought to find out whether the police patrols in the NCBD are sufficient to deter crimes. Table 4.1 shows that majority 34.5% of the respondents disagreed that police patrols within NCBD are sufficient to deter crimes. A total of 33.3% of the respondents strongly disagreed that the police patrols within NCBD are sufficient to deter crimes. The respondents who agreed that the police patrols were sufficient to deter crime were only 2.3%. The findings indicate that majority of the respondents disagreed that police patrols were sufficient to deter crimes One of the primary issues was an apparent absence of police perceivability, especially police watch or patrol. The respondents were in assertion that they once in a while observed the police watching by walking and that when they did they were for the most part in a patrol vehicle. They trusted that having police watching and patrolling

by walking went about as a hindrance to potential lawbreakers or may be criminals and that patrolling ought to be the most imperative police priority. As one key female informant working within the NCBD with a Nairobi- based NGO (K.I -004), firm stated:

> …the police patrols can be effective and especially when conducted on foot in reducing crime. It is an important factor in determining whether people are willing to co-operate with the police (reporting incidents, providing intelligence, acting as witnesses) and comply with the law. By being fair, respectful and just, the police are more likely to secure trust and be more effective in reducing crime.

In the performance of their duty, the KPS and other law enforcement officials should respect and protect human dignity, maintain and uphold the human rights of all persons. This study therefore sought to find out whether the police service recognize and protect   human rights and fundamental freedoms of the public in the NCBD. The results in Table 4.1 show that 34.5% of the respondents strongly disagreed that the police service recognize and protect human rights and fundamental freedoms of the public in the NCBD. A total of 40.2 % of the respondents disagreed that the police service recognizes and protect human rights and fundamental freedoms of the public in the NCBD. The respondents who agreed that the police service recognize and protect human rights and fundamental freedoms of the public in the NCBD were only 2.3%, while those who strongly agreed were only 5.7%. The findings indicate that majority of the respondents disagreed that the police service recognize and protect human rights and fundamental freedoms of the public in the NCBD. Those who strongly disagreed viewed the police as generally aggressive, stoic, insular crime-fighters, who have a strong belief in human rights violations. This finding was supported by Auerbach (2003) who found that Kenya Police had a "long and not so good history characterized by inefficiency, corruption, and disregard for rule of law, police brutality and blatant abuse of human rights". Abusive police practices that go under legal and open investigation include self-assertive judgments, social liberties infringement, use of unwarranted practices; aberrance, such as, taking bribes, taking part in moral and political defilement, and advancing their own self-interest. One key informant(K.I -001) rightly asserted that:

> …the police service in their behavior does not show any willingness to bridge the gap between them and the citizens. The police in the performance of their duties especially in the NCBD do not maintain and uphold the human rights of the people. That police are notoriously known for arresting members of the public and fail to take them to court in time tantamount to denying the citizens justice.

4.2.1 Police Efforts to Close the Gap Between the Citizens and Justice System

The study further assessed various views that the respondents had with regard to whether there was police effort to close the gap between them and the justice system. Their responses are in Table 4.2 presented on a five-point scale of strongly agree, agree, do not know, disagree and strongly disagree.

Table 4.2: Police doing enough to close the gap between the citizen and the justice system

		Frequency	Percentage
1	Strongly agree	6	6.9
2	Agree	18	20.7
3	Don't know	4	4.6
4	Disagree	29	33.3
5	Strongly disagree	30	34.5
Total		**87**	**100.0**

Source: Field data (2016)

Table 4.2 shows that 34.5% of the respondents strongly disagreed that there was police effort to close the gap between the citizen and the justice system. A total of 33.3% of the respondents disagreed that there was police effort to close the gap between the citizen and the justice system. The respondents who agreed that there was police effort to close the gap between the citizen and the justice system were only 20.7 %. The above findings indicate that majority 34.5% of the respondents strongly disagreed there was police effort to close the gap between the citizens and the justice system. This finding was supports that of the Independent Police Oversight Authority (IPOA) 2013 Baseline Survey on Policing Standards and Gaps in Kenya which indicated that 39% of the public did not have confidence in the police to effectively discharge their duties. This observation was further supported by one key informant (K.I -005) an OCS with a working experience of 23 years who noted that:

> …..though the police service faces a period of profound change, it's important to know that change is dynamic and it requires that all stakeholders be involved in bridging the gap between the citizens and the justice system.

This statement illustrates that there is still lack of political will to realize the much-desired police reforms which included but not limited to respect and protect human dignity, maintain and uphold the human rights of all persons. In fact, the National Police Service Act (NPSA), assented to in 2011 took a long time to be Gazetted or even be given commencement date. With regard to confidence in the police service to protect rights of the people in the NCBD, majority 34.5% of the respondents were of the view that they had no confidence that the police service were protecting their fundamental rights. This finding supports that of Holmes (2000) who asserts that the system (law enforcement officials) has always treated them unfairly numerous times by oppressing and discriminating against them. The issue of the use of force was one of the main factors that were mostly mentioned by key informants. According to one key informant from the Muslim Community (K.I -002) in NCBD:

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> …..the appropriate use of force and the use of the least amount of force in effecting arrests in the NCBD are essential values which characterize a department that respects the sanctity of life. Police officers that fail to train in and demonstrate the use of appropriate force, not only create the potential for heightened racial conflict, but also raise high municipal liability risks for their communities. Police officers should be skilled in conflict resolution so as to avoid higher levels of confrontation and where conflict cannot be avoided, less than lethal force can be employed by law enforcement personnel in accordance with changing community values.

During an interview with a key informants(K.I -005),an OCS working in a Nairobi police station, he noted that, National Police Service Act (NPSA) which was legislated after the 2010 constitution desired to bring about police reform and changes within the Kenya Police Service like good police practices, intensive training, precisely made strategies and fitting assignment of assets in law enforcement which were to guarantee open public security and avert abuses in experiences between police officers and citizens. Regrettably, throughout the country and especially in NCBD patterns of use of force, arbitrary arrest, the selective enforcement of laws against people of lower socio-economic status and disturbing stop-and-frisk policies have resulted in a disproportionate effect on the public at large.

While it is important that all segments of society see the KPS law enforcement practices as legitimate, their actions as well intentioned and fair, this study has however established that there is negative perception by the public within NCBD. This was significantly caused by the unpleasant experiences with the KPS and consequently this shaped their perceptions on law enforcement practices.

4.3Effectiveness of Kenya Police Service on Law Enforcement in NCBD

The second specific objective of this study sought to establishthe effectiveness of Kenya Police Service on law enforcement in NCBD. The relevant research question is; what is the public perception on the effectiveness of Kenya Police Service on law enforcement practices in the NCBD? Several statements on the effectiveness of Kenya Police Service on law enforcement in NCBD were identified and the respondents were required to indicate to the extent they agree.The finding is shown in Table 4.4.

Table 4.3: Effectiveness of Kenya Police Service on Law Enforcement practices in NCBD

	Strongly agree		Agree		Neutral		Disagree		Strongly disagree	
	F	%	F	%	F	%	F	%	F	%
The Police service fairly enforces the law within the NCBD.	5	5.7	10	11.5	10	11.5	41	47.1	21	24.1
The Police Service applies hot spots policing to fight crime in NCBD.	3	3.4	4	4.6	11	12.6	38	43.7	31	35.6
The Police Service responds promptly to calls of assistance.	5	5.7	7	8	9	10.3	42	48.3	24	27.6
The Police Service helps people who have been victims of crime in NCBD.	3	3.4	8	9.2	13	14.9	36	41.4	27	31
The Police Service have a positive attitude towards the public	5	5.7	10	11.5	12	13.8	30	34.5	30	34.5
Police Service carry adequate directed patrol in NCBD	3	3.4	5	5.7	8	9.2	45	51.7	26	29.9
The Police Service apply systematic methods for focusing police resources on high-priority problems within the NCBD	5	5.7	3	3.4	16	18.4	42	48.3	21	24.1
The police service is committed to Procedural justice	4	4.6	7	8	15	17.2	34	39.1	27	31

Source: Field data (2016)

Table 4.3shows that 24.1% of the respondents strongly disagreed that police fairly enforces the law in NCBD. A total of 47.1% of the respondents disagreed that police were fairly enforcing the law. The respondents who agreed that police service fairly enforces the law were only 11.5%. The findings indicate that majority of the respondents strongly disagreed that police service were effective in enforcing the law fairly. This finding was further supported by one key informant who once worked for Transparency International (K.I -006), who indicated that:

> …..Even after the promulgation of the 2010 Constitution the Kenya Police Service is still plagued by inefficiency, corrupt practices, and violation of the rule of law, police brutality and abuse of human rights and thus people of lower socioeconomic status hold more negative opinions of the police than people of higher socioeconomic status.

A certain respondent who disagreed that the police were fairly enforcing the lawargued that the KPS and other law enforcement officers were so much focused on serving established rulers and people of higher socio-economic status. This finding agrees with James(1974)observation that a great part of the dissatisfaction African-Americans and other minority groups' encounter is the consequence of oppressive and abusive police practices. Minorities feel they lack power over police street practices. This group maintains the notion that the elite hold the power and control over the political system.

The Police department effectiveness in fighting crime can mostly be measured by the strategies that they employ in reducing crime and disorder. One of the most effective ways in the 21st century policing has been hot spots policing which is effective in reducing crime and disorder. With regard to applying hot spots policing strategies to fighting crime, majority of the respondents 43.7% disagreed. Those who strongly agreed that police service was applying hotspots policing were only 4.6%. A total of 35.6% strongly disagreed with this statement. This finding was further supported by one key informant, a former Kenya Police Service officer (K.I -007), who indicated that when police focus on small geographic areas that experience crime and disorder problems, they can have a significant beneficial impact on crime in these areas. In his own words:

> …I believe that police departments should strive to develop situational prevention strategies to deal with crime hotspots. Careful analyses of crime problems at crime hot spots seem likely to yield prevention strategies that will be well positioned to change the situations and dynamics that cause crime to cluster at specific locations.

This study also sought to find out whether the Police Service responds promptly to calls of assistance. Table 4.3 shows that 27.6% of the respondents strongly disagreed that police respond promptly to calls of assistance from members of the public. A majority number 48.3% of the respondents disagreed that police responds promptly to calls of assistance. The respondents who agreed that police responded promptly to calls of assistance were only 8%, while a total of 5.7% strongly agreed that the police service usually responded promptly to calls of assistance. The findings indicate that majority (75.9%) of the respondents disagreed that the Police Service promptly responded to calls of assistance from the members of the public within the NCBD. These findings were supports the National Police Service Annual Crime Report for the year 2011 which reported that there was a challenge in revamping the Police systems that adversely affected the effective and timely police response at the station

level to satisfy the rising expectations of the people. These findings also supports those of Kirk and Matsuda(2011) who observed that instead of finding common ground to protect the community and reduce crime, the police have created a culture of fear and citizens are reluctant to seek police assistance because of the police uncaring and abusive behaviour. Importantly also, a report by the Independent Policing Oversight Authority's Performance Report for the six Month sending 31st December2015 covering a total of 1,203 complaints, indicated that majority of the complaints received at the authority related to inaction by police. The greatest proportion of all the complaints received and recorded at 56 percent were on police inaction.

It is notable that practices used in enforcement of the law and the police reforms to a bigger degree aimed at effectively addressing the hindrance between the police and the local communities. At the point when common participation is produced between the policing agencies and members of the public, the police may succeed with regards to control of crime. A good working relationship between the police and public is critical. For this to be accomplished, steps like presentation of community policing initiatives have taken to foster positive attitude between the police and the public (Ruteere, 2004). Literature review cited information on negative attitude of the public towards police, but nothing has been mentioned about the police attitude towards the public. Therefore, the study isolated this factor by seeking whether the Police Service have a positive attitude towards the public. The findings on Table 4.3 showed that 34.5% of the respondents strongly disagreed that the Police Service has a positive attitude towards the public. Equally, a total of 34.5% of the respondents disagreed that Police Service has a positive attitude towards the public. The respondents who agreed that Police Service has a positive attitude towards the public were only 11.5%. The findings indicate that majority (69%) of the respondents strongly disagreed that the Police Service has a positive attitude towards the public. This concurred with Monjardet (2000) that the relation between the police and the public has always been accompanied by deep seated animosity and suspicion. Upon further inquiry on the attitude of police officers towards the public one key informant from Transparency International quipped (K.I -006).

> ….We can't get rid of this attitude. Take for example the issue of corruption. The citizen is not afraid [to offer a bribe]. It is he that offers the bribe first. Citizens are involved in the corruption but nobody says that society is corrupt like they say that the police are corrupt. This way police feel discriminated thus the bad attitude towards the public.

The findings also support the World Bank (2009) and KNCHR (2008) view that there still exist high levels of negative attitude between the police and the public. This was in support of Ruteere (2003) view that the history of policing showed that the police have been used to terrorize the public since independence.

The study further assessed various views that the respondents had with regard to whether the Police Service carry adequate patrols in the NCBD, the findings show that a majority (51.7%)of the respondents disagreed that Police Service carries adequate patrols. A total of 29.9 % of the respondents strongly disagreed that Police Service carries adequate patrols. Only 3.4% of the respondents strongly agreed, while the respondents who agreed that Police Service carries adequate patrol were only 5.7%. The findings indicate that majority (81.6%) of the respondents disagreed that Police Service carry adequate patrol in the NCBD. Most respondents opined that though policing patrol was important in reducing crime, the Police Service had not been effective and did not frequent the streets in NCBD as they would expect so as to reduce crime. One business owner observed that policing to reduce crime has highlighted that visible police patrol can reduce crime, but only if it is specifically targeted to crime hotspots. This observation was further supported by one OCS (K.I -005), with a working experience of 10 years, who noted that

> ...targeted foot patrol can improve public feelings of safety as well as reducing crime when implemented alongside community engagement and problem-solving. Importantly, foot patrol can be used by the police to initiate positive, informal contact with members of the public and in response to local priorities. The visible presence of an officer patrolling on foot may also act as a 'control signal' a sign that the authorities are taking the problems of local people seriously.

This study sought to find out whether the Police Service applied systematic methods forfocusing police resources on high-priority problems within the NCBD. Table 4.3 shows that majority (48.3%) of the respondents disagreed that Police Service apply systematic methods for focusing police resources on high-priority problems. A total of 24.1% of the respondents strongly disagreed that police service applies systematic methods for focusing police resources on high-priority problems. The respondents who agreed apply systematic methods for focusing police resources on high-priority problems were only 3.4%. The findings indicate that majority (72.4%) of the respondents disagreed. This finding was further supported by one key informant (K.I -001), who indicated that effective policing is largely dependent on the activities requires good policing strategies and outcomes like applying

systematic methods for focusing on high priority problems in the country and especially in Nairobi. In her own words:

> ….Police service has deployed many new tools in recent decades to improve policing outcomes and their relationship with citizens. However, they have deliberately excluded applying preventive approaches and systematic methods forfocusing police resources on high-priority problems.

Procedural justice in policing practices guarantees that interactions with the police are seen as reasonable and just. This implies creating policing norms and a police culture that give consistency in the treatment of all subjects, without respect to ethnicity, and regardless of which officer reacts. It implies treating citizens with deference, listening and attempting to understand citizens' perspectives and viewpoints. This study, therefore, sought to find out whether the police service is committed to procedural justice. The findings show that 31% of the respondents strongly disagreed that police service is committed to procedural justice. A total of 39.1% of the respondents disagreed that the police service is committed to Procedural justice. The respondents who agreed the police service is committed to procedural justice were only 8%, while 4.6% of the respondents strongly agreed that police were committed to procedural justice. The findings indicate that majority of the respondents disagreed that police service is committed to procedural justice. This finding was further supported by one key informant who once worked for Transparency International (K.I -006), who indicated that the Police Service was not committed to policing practice that would ensure that interactions between them and the citizens are perceived as fair and just. In his own words:

> …..For police to be effective it's important that procedural justice as a practice be embedded within the police structure as a lack of it is a significant contributing factor to many of the more specific complaints and frictions that arise between the police and the communities that they serve. Procedural justice also means the police needs to do a better job at helping people understand what they do and how they operate.

4.3.1 Effectiveness of Kenya police Service Law Enforcement Practices in NCBD

Further, the research sought to ascertain which law enforcement practices were deemed to be most effective. A total of 87 respondents interviewed agreed that some law enforcement practices were effective as shown in Table 4.4

Table 4.4: Effective Police Law Enforcement Practices

	Effective police law enforcement practices	F	%
1	Recruitment of more police officers	36	41.4
2	Provision of more motor vehicles for patrols	27	31
3	Improved welfare, remuneration and benefits for service of police officers	13	14.9
4	Effective and working NPSC	8	9.2
5	Police use of information and technology to boost crime prevention	3	3.4
	Total	87	100.0

Source: Field data (2016)

The recruitment of more police officers and provision of more motor vehicles for patrol were rated as the most effective police service law enforcement practice at 41.4% and 31% respectively. This finding was supported by one key informant who was an OCPD working in Nairobi (K.I -008), who asserted that:

> …..the Police have recruited more police officers in the last three years 2013-2016 than in the last ten years combined. He also explained that government had leased more vehicles for patrol and to tackle crime more than ever before.

The next areas which received support was improved welfare, remuneration and benefits for the service of police officers and the effective and working National Police Service Commission which among other functions is supposed to ensure that the service is efficient and effective and which received support of 14.4% and 9.2% of the respondents respectively. The area which received least support was police use of information and technology to boost crime which was rated at 3.4%. This finding was supported byNdung`u, (2008) who argued that the Kenya Police Force (KPF) officials claim that the underlying challenges of state policing in Kenya have to do with the growing incapacity of the state to provide the necessary infrastructure for policing, such as operational equipment and facilities. During an interview with an OCPD working in a Nairobi (K.I -008), he noted that:

> …..the issue of technology is always a thorny one in the service as police service does not have the capacity and the instruments of trade to train a large number of officers so as to equip them technologically. The service has not also acquired from the government proper working technology equipment's at every police station to help deal with crime as it should be.

4.4 Cooperation Between the Public and the Kenya Police Service on Crime Prevention in NCBD

The third specific objective of this study was to interrogate the coorperation between the Public and the Kenya Police Service on Crime Prevention in NCBD. Several statements on

public perception on the level of coorperation between the public and the Kenya Police Service on crime prevention in NCBD were identified and the respondentswere required to indicate to the extent to which they agree or otherwise.The findingsare as shown in Table 4.5.

Table 4.5: Cooperation between the Public and the Kenya Police Service on CrimePrevention in NCBD

	Strongly Agree		Agree		Neutral		Disagree		Strongly Disagree	
	F	%	F	%	F	%	F	%	F	%
The police service has a good cooperation mechanism with the public on issues within the NCBD	3	3.4	3	3.4	10	11.5	44	50.6	27	31
The police service has teamed up with the public to improve security in the NCBD	0	0	5	5.7	12	13.8	28	32.2	42	48.3
The police service promotes internal diversity and ensure professional growth	4	4.6	1	1.1	23	26.4	24	27.6	35	40.2
The police service has well functional suggestions boxes around the NCBD	4	4.6	2	2.3	11	12.6	35	40.2	35	40.2
The police service is effective in sanctioning criminal behavior	4	4.6	2	2.3	11	12.6	33	37.9	37	42.5
The public see police as legitimate authority in enforcing the law.	6	6.9	6	6.9	8	9.2	29	33.3	38	43.7

Source: Field data (2016)

The concept that communities have an essential part to play in crime lessening initiatives is inserted in what is normally alluded to as community (or neighborhood) policing. In spite of the fact that not as unmistakably characterized as insight drove or problem orienting policing, it has been generally and widely been embraced in Kenya. Community policing helps to reassure the public and increase their confidence in the police, however the confirmation that it conveys maintained decreases in crime is ambiguous. As shown in Table 4.5 with regard to whether the police service had a good cooperation mechanism with the public on issues within the NCBD, 3.4% of the respondents strongly agreed that the police service has a good cooperation mechanism with the public on issues while 50.6% of the respondents disagreed police service has a good cooperation mechanism with the public on issues within the NCBD. Further, 31% of the respondents strongly disagreed that police service has a good cooperation mechanism with the public on issues within NCBD. The findings indicate that majority (81.6%) of the respondents disagreed that the police service had a good cooperation

mechanism with the public on issues within NCBD. This finding was supported by one key informant (Hawkers Welfare Chairman) (K.I -009) who noted that:

> ….the cooperation mechanisms between police and community allows each entity to be more effective because joint efforts can draw upon unique professional skills, knowledge, training, and missions which in effects helps to' prevent crime, reduce the fear of crime, and improve the quality of life in Nairobi Central Business District.

The findings also support the World Bank (2009) and KNCHR (2008) view that there still exist high levels of negative attitude between the police and the public. This finding was also in agreement with Burger (2011) who observed that, despite all the work and innovation going on in the fight against crime, the crime trend will not be reversed unless there is cooperation between all concerned.

The study also sought to find out whether the police service had teamed up with the public to improve security in the NCBD. Most (48.3%) of the respondents strongly disagreed that the police service had teamed up with the public to improve security in the NCBD. A total of 32.2% of the respondents disagreed that the police had teamed up with the public to improve security in the NCBD. The respondents who agreed that the police had teamed up with the public to improve security in the NCBD were only 5.7%, while 13.8% of the respondents did not know or said nothing. The findings indicate that majority (80.5%) of the respondents strongly disagreed that the police service had teamed up with the public to improve security in the NCBD. This finding was further supported by one key informant who once worked for Transparency International (K.I -006) who indicated that:

> …..Good cooperation mechanisms often involve community policing which is viewed by the stakeholders like it does not have clear initial impacts on crime and disorder. However in the long term, community policing programs increase levels of police which have an immense link between community policing and reduced crime.

This statement concurred with Muchai (2003) that the plan conceded that the poor public perception towards the police were justified and resulted in low levels of crime reporting. Further, this statement was supports that of Kirk and Matsuda (2011)who argued that the community does not perceive that the police care about their issues, especially in poor and non-white communities and this has eroded the citizen's confidence and are reluctant to seek police assistance because of the police's uncaring and abusive behaviour.

As regards to whether the police service promotes internal diversity and ensures professional growth, the findings indicated that 40.2% of the respondents strongly disagreed that the police service promotes internal diversity and ensure professional growth. A total of 27.6% respondents disagreed that the police service promotes internal diversity and ensures professional growth. The respondents who agreed that the police service promotes internal diversity and ensures professional growth were only 1.1% of the total respondents. The findings indicate that majority (67.8%) of the respondents strongly disagreed that the police service promotes internal diversity and ensures professional growth. This finding was further supported by one Key informant from IPOA (K.I -010) who observed that:

> …..Internal processes of the Kenya Police Service regarding recruiting, promotions, and other matters by the National Police Service Commission should be transparent and fair. When the NPSC creates an environment that promotes internal fairness and respect, officers are more likely to demonstrate these qualities in their daily interactions with the community.

As to whether the police service has well functional suggestions boxes around the NCBD for easier reporting, findings in Table 4.5 indicated that 40.2% of the respondents strongly disagreed and a similar percentage 40.2% similarly disagreed that the police service has well functional suggestions boxes around the NCBD for easier reporting. Atotal of 12.6% of the respondents did not know that the police service has well functional suggestions boxes around the NCBD for easier reporting. The respondents who agreed the police service has well functional suggestions boxes around the NCBD for easier reporting were only 1.1% of the total respondents. The findings indicate that majority of the respondents strongly disagreed that the police service has well functional suggestions boxes around the NCBD for easier reporting. According to a senior police officer (K.I -011) interviewed at the Kenya Police headquarters,

> ….Suggestion boxes cannot be deemed irrelevant and in effective in an environment where the public have not felt safe to report criminals and give confidential information to the authorities. It is just that the process of installing them has not kick started. However, we always encourage our officers to find different ways of communicating with community members such as targeted meetings with identified groups in the community. We have also encouraged police officers to establish contact and rapport with community members in areas where they are deployed.

Past behaviour is the best predictor of future behaviour and it's therefore imperative to make reasonable attempts to prevent crime by preventing known offenders from continuing their criminal behaviour. How well the Kenya Police Service is able to sanction criminal behaviour

in the society will influence citizen cooperation to fight crime and disorder. This study sought to find out whether the police service is effective in sanctioning criminal behaviour. Table 4.5 shows that 42.5% of the respondents strongly disagreed that the police service is effective in sanctioning criminal behaviour. Those who disagreed that the police service is effective in sanctioning criminal behaviour were 37.9%. The respondents who agreed that police reform had succeeded were only 2.3%, while those who did not know nor had no opinion on whether the police service is effective in sanctioning criminal behaviour were 9.2%. The findings indicate that majority (80.4%) of the respondents disagreed that the police service is effective in sanctioning criminal behaviour. According to one Key informant from International Medico-Lego Unit (IMLU) (K.I -012),

> …the reason why the Kenya Police Service should effectively sanction criminal behavior is because whichever sanction is chosen, one outcome is expected to be a reduction in criminal behavior, and a corresponding increase in public safety. When the public see that the criminal behavior is fairly sanctioned they will likely cooperate with the police in reducing crime and increasing public safety.

Active public cooperation is important for the police to be successful in controlling crime and maintaining social order. Cooperation increases not only when the public views the police as effective in controlling crime and maintaining social order, but also when citizens see the police as legitimate authorities who are entitled to be obeyed. As regards to whether the public see the police as legitimate authority, the findings in Table 4.5 show that the majority 43.7% of the respondents strongly disagreed that they see the police as legitimate authority. A total of 33.3% of the respondents disagreed that the public see the police as legitimate authority.The respondents who strongly agreed that the public see the police as legitimate authority were only 6.9% and this also corresponded with the number of respondents who agreed with that finding. Only the remaining 9.2% of the total respondents did not know whether they viewed the police as a legitimate authority. The findings indicate that majority (77.0%) of the respondents disagreed that they see the police as a legitimate authority. This finding supports that of Tyler and Fagan (2008) who opined that when the police are viewed as legitimate, people are more likely to comply and obey police authority. According to one key informant from IMLU (K.I -012) in Nairobi:

> …Kenya Police Service Legitimacy will influence people's willingness to cooperate with the police to fight crime in their communities as legitimacy shapes willingness to cooperate with the police in fighting crime. The results for working with others in the community are more mixed. When boosting the

fight against crime and urban disorder, the police have difficulty in effectively managing crime without the support of the community. This argument is consistent with the suggestion that the police have difficulty enforcing the law unless they can count on widespread cooperation from members of the public.

4.4.1 Public - Police Relationship

The Public–Police relationship is an important element in elimination of crime, improving the image of the police in the community may diminish crime among the public. This study asked the respondents to describe the relationship between them and members of the Kenya Police Service and the results are shown below.

Table 4.6: Relationship between the public and Kenya Police Service

How would you describe the relationship between the Public and the Police?

	N	%
Very Cordial	3	3.4
Cordial	5	5.7
Antagonistic	21	24.1
Very antagonistic	42	48.3
Don't know	16	18.4
Total	**87**	**100**

Source: Field data (2016)

Table 4.6 shows that majority (48.3%) described the relationship between the public and the police as very antagonistic, while 24.1% simply said it was antagonistic. The respondents, who described the relationship between the public and the police as very cordial, were only 3.4%. A total of 5.7% described the relationship as cordial while 18.4% of the total population did not know. According to one Key Informant from IPOA (K.I-010),

> ….Few members of the public see the KPS as friends; instead the sight of a law enforcement officer is always considered synonymous with trouble. This is partly because in the absence of asocial service dimension in police work, the police pre-occupations orroutine police work revolve around stop and question/search, arrest, crime investigation, detention, prosecution, riot and crowd control, and armed combat against violent criminals and guarding of the interest of the rich and powerful.

This finding was supports that of by Kirk and Matsuda (2011) who argued that the issue with police officers is that the community does not perceive that the police care about community issues, does not protect the community, does not reduce crime and the police have created a culture of fear. Therefore, the citizens are reluctant to seek police assistance because of the police uncaring and abuse behaviour.

4.5 Discussion

The study has presented in this section a discussion of its findings based on the objectives. It begins with the first objective which was to explore the perception of the business community on Kenya Police Service law enforcent practices in NCBD. The discussion then proceeds to objective two which sought to establish public perception on the effectiveness of Kenya Police Service in law enforcement practices in NCBD from. This discussion then concludes with the third objective which was tointerrogate the level of cooperation between the public and the Kenya Police Service on law enforcement practices in NCBD.

4.5.1 Exploring the perceptions of the business community on Kenya Police Service law enforcement practices in Nairobi Central Business District

The first specific objective of this study was to explore the perception of business community on Kenya Police Service Law Enforcement Practices in Nairobi Central Business District. This study indicated that majority (72.4%) of the respondents disagreed that police service had ability to prevent crime among the business community in NCBD. This finding was supports that of Misis (2012) who argued that the police are generalized as aggressive, stoic, insular crime-fighters, who have a strong belief in esprit de corps and who will protect other police officers more than they would protect the public. This study also established that the police service does not protect the rights of an arrested person and also engages in arbitrary arrests. This finding is consistent with an observation by Independent Police Oversight Authority (IPOA) 2013 Baseline Survey on *Policing Standards and Gaps in Kenya* which showed that one third (33.3%) of respondents had experienced police malpractices including brutality, arbitrary arrests and threat of imprisonment.

As to whether police engage do not engage in unlawful deprivation of life, this study revealed that the Kenya Police Service was responsible for the majority of deaths and thus they engaged in unlawful deprivation of life. Most of the respondents agreed that police engage in unlawful deprivation of life. This finding was also in support by an observation of Philip Alston's (2009)Report on extrajudicial killings which attributed blame to police officers and observed that police guns were responsible for undue shooting of citizens. This study also found that the Kenya Police Service was in in violation of Problem–oriented strategies aimed policing to improve service delivery. Though there was strong evidence that problem-oriented policing reduced crime, the Kenya Police Service had not embraced the problem-

oriented strategy which could alleviate crime and disorder particularly in Nairobi Central Business District.

This study also revealed that the patrols by the Kenya Police Service were not sufficient to deter crimes. One of the main issues by most respondents was a perceived lack of police visibility, particularly in relation to patrols. Police officers patrolling on foot may have acted as a deterrent to potential criminals and that patrolling on foot should be the most important police priority. In the respect of the Kenya Police Service respecting and protecting human dignity, maintaining and upholding the human rights of all persons, this study found that the police service did not recognize nor protect human rights and fundamental freedoms of the public in the NCBD. This finding was supports that by Auerbach (2003) who asserted that Kenya Police long and not so good history are characterized by inefficiency, corruption and disregard for the rule of law, police brutality and blatant abuse of human rights. This study also established that abusive police practices that came under judicial and public scrutiny included arbitrary judgments, civil rights violations, use of unwarranted practices; deviance, such as taking bribes, engaging in moral and political corruption, and promoting their own self-interest instead of that of the public.

4.5.2 Effectiveness of Kenya Police Service on Law Enforcement Practices in NCBD

The second specific objective of this study was to establish the effectiveness of Kenya Police Service on law enforcement in NCBD.This study found that the Police Service does not enforce the law fairly in NCBD. This is because (47.1%) most respondents 47.1% disagreed that police were fairly enforcing the law. The KPS and other law enforcement officers were so much focused on serving established rulers and people of higher socio-economic status. According to James (1974), much of the frustration African-Americans and other minority groups experience are the result of abusive police practices and selective application of the law. The study also found that most of the people of lower economic status feel they lack power over KPS street practices. This group maintains the notion that the elite hold the power and control over the political system. This study also found that the KPS does not apply hot spots policing strategies to fight crime as most respondents disagreed with the statement that the police were using hotspots strategies to fight crime. The KPS should endeavor to create situational aversion strategies to manage crime hotspots. Hotspots strategy, it was noted, was probably going to yield avoidance strategies that will be all around situated to change the circumstances and elements that cause crime to cluster at specific locations.

This study also revealed that police did not respond promptly to distress calls from the public. The finding is consistent with Kirk and Matsuda (2011) observation that instead of finding common ground to protect the community and reduce crime, the police have created a culture of fear and citizens are reluctant to seek police assistance because of the police uncaring and abusive behaviour. This study also revealed that police service does not have a positive attitude towards the public. This concurred with Monjardet (2000) who opined that the relations between the police and the public has always been accompanied by deep seated animosity and suspicion. This finding was also consistent with the World Bank (2009) and KNCHR (2008) views that there still exist high levels of negative attitude between the police and the public. The history of policing showed that the police have been used to terrorize the public since independence (Ruteere, 2003).

This study further found out that though the KPS carries out random patrol, they are not adequate to reduce crime in the NCBD. Results showed that a majority (51.7 %) of the respondents disagreed that Police Service carries adequate patrols. Most respondents (81.6%) opined that though policing patrol was important in reducing crime, the Police service had not been effective and did not frequent the streets in NCBD as they would expect so as to reduce crime. This infers that targeted foot patrol can enhance public feelings of safety as well as reducing crime when actualized alongside community engagement and problem-solving. Importantly, foot patrol can be used by the police to start positive, informal contact with members of the public and because of neighborhood needs. The visible presence of an officer patrolling on foot may also act as a 'control signal or flag', a sign that the authorities are taking the problems of local people seriously

This study further established that Police Service does not apply systematic methods for focusing police resources on high-priority problems. Where KPS focused on the police resources on high priority problems, the law enforcement officers practiced were deemed effective and crime and disorder reduced significantly. This indicated that the KPS was excluding application of systematic methods for focusing police resources on high-priority problems.

This study also found that the Police service was not committed to procedural justice which ensures that interactions with the police are perceived to be fair and just. This study showed that over a third (39.1%) of the respondents disagreed that the police service was committed to procedural justice. This finding was consistent with Kappeler (2002) who observed that

there is a growing public awareness of police personnel at both the organizational and street level and agencies must be diligent in maintaining their enforcement practices. That using abusive police practices that come under judicial and public scrutiny which include arbitrary judgments, civil rights violations, use of unwarranted practices; deviance, such as taking bribes, engaging in moral and political corruption, and promoting their own self-interest.

4.5.3 Cooperation Between the Public and the Kenya Police Service on Crime Prevention in NCBD

The third specific objective of this study was to find out the coorperation between the Public and the Kenya Police Service on law enforcement in NCBD. Communities have a vital part to play in crime reduction initiatives like community or neighborhood policing. This study however established that the Kenya Police service does not have a good cooperation mechanism as respondents strongly disagreed that police service had a good cooperation mechanism with the public on issues within NCBD. This finding was consistent with that of Burger (2011) who observed that, despite all the work and innovation going on in the fight against crime, trends in crime may not be reversed unless there is cooperation between all concerned. The study also indicated that the police service had not teamed up with the public to improve security in the NCBD. This finding concurred with Kirk and Matsuda (2011) who argued that the community does not perceive that the police care about community issues, especially in poor and non-white communities and this has eroded the citizens' confidence and are reluctant to seek police assistance because of the police uncaring and abusive behavior.

This study also established that the Kenya Police Service rarely promotes internal diversity and does not ensure professional growth. This study also indicated that the Kenya Police Service does not have well functional suggestions boxes around the NCBD for easier reporting. This in essence affects ways of communication. As regards the police ability to effectively sanction criminal behaviour, this study indicated that the Kenya Police Service was not effective in sanctioning criminal behavior and this was a bottleneck problem why police find it difficult in reducing crime and increasing public safety.

Though Kenya Police Service legitimacy will influence people's willingness to cooperate with the police to fight crime, this study found that the public hold that the Kenya Police Service is a legitimate authority entitled to be obeyed. Cooperation increases not only when the public views the police as effective in controlling crime and maintaining social order, but

also when citizens see the police as legitimate authorities who are entitled to be obeyed. Such legitimacy judgments, in turn, are shaped by public views about procedural justice, the fairness of the processes the police use when dealing with members of the public. The lack thereof of procedural fairness and justice of the policies and practices of the Kenya police Service shapes perceptions of KPS legitimacy. Hinds (2009) argue that, negative attitudes undermining the legitimacy of the police are generated when officers are more likely to use aggressive tactics.

CHAPTER FIVE
SUMMARY, CONCLUSION AND RECOMMENDATIONS

5.1 Introduction

This chapter presents a summary of key findings of the study, conclusion, and recommendations based on the objectives which were first, to explore the perception of the business community on Kenya Police Service law enforcent practices in NCBD from. Second, to establish public perception on the effectiveness of Kenya Police Service in law enforcement practices in NCBD and third to interrogate the level of cooperation between the public and the Kenya Police Service on law enforcement practices in NCBD.

5.2 Summary of the Findings

This study first sought to explore the perceptions of the business community on Kenya Police Service law enforcement practices in Nairobi Central Business District. The findings of this study indicated that majority (72.4%) of the respondents disagreed that the police service had ability to prevent crime among the business community in NCBD. This provides an account that the business community was still affected by the high crime rates in the Central Business District and which the police had either failed to prevent or were uninterested to prevent. This study also established that the police service does not protect the rights of an arrested person and also engage is in arbitrary arrests, which showed that the police were still applying retrogressive law enforcement practices on business community members. It was further established in this study that the KPS engage in unlawful deprivation of life and most respondents argued that the KPS were responsible for the majority of deaths and thus the engaged in unlawful deprivation of life.

From the findings, it was established that Kenya Police Service did not employ problem–oriented policing to improve service delivery. Though there was strong evidence that showed problem-oriented policing reduces crime, the Kenya Police Service had not embraced this concept which could alleviate crime and disorder. Further, this study also indicated that the patrols by the Kenya Police Service were not sufficient to deter crimes. One of the main issues raised by most respondents was a perceived lack of police visibility, particularly Police patrols. Most respondents concurred that Police officers patrolling on foot acted as a deterrent to potential criminals and that patrolling on foot should be the most important police priority. In the respect of the Kenya Police Service respecting and protecting human dignity, maintaining and upholding the human rights of all persons, this study found that the police

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service did not recognize nor protect human rights and fundamental freedoms of the business community in the NCBD.

Secondly, the study sought to establish the effectiveness of Kenya Police Service on law enforcement practices in NCBD. This study found that the Kenya Police Service does not enforce the law fairly in NCBD. According to the findings,majority (47.1%)of the respondents disagreed that police were fairly enforcing the law. Discussion with some respondents revealed that the KPS and other law enforcement agencies were so much focused on serving established rulers and people of higher socio-economic status, while unfairly treating people of low social-economic status and other minority groups. This study further revealed that Kenya Police Service did not respond promptly to calls of assistance from the public. Majority of the respondents agreed that the KPS was not quick and effective enough when called to assist the public. This study also established that the Kenya Police Service does not have a positive attitude towards the public. That although there is need to positive relationship which is important for both the police officers and the members of the public in order to fight crime, majority (69%) of the respondents decried the poor relationship between them and the KPS.

This study also further found that although the KPS carries out random patrol, they were not adequate to reduce crime in the NCBD. Results showed that a majority (51.7 %)of the respondents disagreed that the Kenya Police Service carries adequate patrols to reduce crime and if they were there, there was little to show in terms of reducing crimes to minimal levels. A vast majority (81.6%) of those respondents opined that though policing patrol was important in reducing crime, the Kenya Police Service had not been effective and did not frequent the streets in NCBD as they would be expected. This affected the fight against crime and disorder in the NCBD. With reference to Kenya Police Service applying systematic methods for focusing police resources on high-priority problems, this study revealed that the Kenya Police Service does not apply systematic methods for focusing police resources on high-priority problems. However, this study also established that where KPS focused the resources on high priority problems, the law enforcement officers' practices were deemed effective and crime and disorder reduced significantly.

On whether the Kenya Police Service was committed to procedural justice, that ensures interactions with the police are perceived as fair and just, this study established that majority (39%) of the respondents disagreed that the Kenya Police Service was committed to

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procedural justice. Most (50%) respondents outlined arbitrary judgments, civil rights violations, and use of unwarranted practices as some of the KPS law enforcements practices that were devoid of procedural justice. Thus, the perception and the lack of procedural justice therefore eroded the citizens' confidence and consequently the public were reluctant to report crimes or help to alleviate crime and disorder in the NCBD.

In line with the third objective of this research, the study sought to interrogate whether the Kenya Police Service has a good cooperation mechanism with the public. Accordingly, majority of the respondents strongly disagreed that the Kenya Police Service has a good cooperation mechanism with the public on issues within NCBD and the lack thereof was a hindrance for enhancing the relationship and association between the KPS and the public. This study also established that the Kenya Police Service rarely promotes internal diversity and does not ensure professional growth. Interviews with key informants revealed that when NPSC creates an environment that promotes internal fairness and respect, officers will probably exhibit these qualities in their everyday associations with the community. This study also revealed that the Kenya Police Service does not have well functional and strategic suggestions boxes around the NCBD for easier reporting of crime and disorder. Strategically positioning of suggestion boxes, it was noted was a way of encouraging reporting of crimes, incidences and criminals by the members of the public. The lack thereof it was noted affected the enhancement of crime reduction and creating secure environment in the NCBD.

Further, this study sought to ascertain whether the Kenya Police Service had ability to effectively sanction criminal behaviour. This study indicated that the Kenya Police Service was not effective in sanctioning criminal behavior. Interview with key informants supported that by asserting that when the public see that the criminal behavior is fairly sanctioned they will likely cooperate with the police in reducing crime and increasing public safety. Despite the fact that Kenya Police Service legitimacy will impact individuals' readiness to collaborate with the police to fight crime, this study found that, the public don't see the Kenya Police Service as legitimate authorities who are qualified and entitled to be obeyed. Cooperation and collaboration increase not just when the public see the police as powerful in controlling crime and keeping up social order, but also when the citizens and the public at large see the police as legitimate authorities who are qualified to be obeyed.

5.3 Conclusion

5.3.1Theoretical Conclusion

This study was informed by the theory of symbolic interactionism which explains that social participants in a social situation are constantly negotiating a shared definition of the situation. They take one another's viewpoints into account, and interpreting each other's behaviour prior to implementing an action and this has value for studying conflicts. This theory helped to address how society is created and maintained through repeated interactions among individuals. This theory was useful to show how one party's actions (police) are interpreted, or misinterpreted, lead the second party (the public) to respond based on their (mis) interpretation. Symbolic interactionism is founded on the analysis of three major premises. One of the premise rests on the idea that the meaning of these things is derived from the social interaction one has with other humans that are part of one's life. This study noted that perceptions and interpretations of actions are one component of the multifaceted issue that is Kenya Police Service and the public tension and conflict. These observations find much favour with most of the findings of this study.

This study also helped to outline that misinterpretation appears to be one factor that contributes to persistent nature of the conflict between the two set of groups, which is the Police on one side and the Public on the other. Symbolic interactionism also helped to present a commonsensical approach to analyzing how two parties interpret each other's actions because symbolic interactionism posits that meaning arises in the process of interaction between people. Meaning grows out of the ways in which people act toward the person with regard to the thing. Actions define the thing for the person.

The nature of human society or human group life is understood in the context of humans who engage in action. This study contributed to understanding that action is defined as innumerable activities an individual performs as they encounter other humans and their reaction to the continual situations humans find themselves in as they progress through life. Most importantly is that the actions taken by one side are interpreted by the receiving side, which then takes action accordingly. Interpretations of any given action are subject to interpretations of prior actions. This theory of symbolic interaction was therefore found adequate and useful for its emphasis on how individuals interpret others, themselves, and their situations and that we act toward things based on them earnings that we have developed for those things.

5.3.2 Empirical Conclusions

The study concludes that Kenya Police Service law enforcement practices were cause of concern in the NCBD. There was a strong desire for more visible police patrol because it was felt that this would make the public feel safer and would act as a deterrent to potential criminals. There was a perception that KPS priorities were inappropriate, response times too slow, and that a police officer's attitude and communication skills were key to whether the public considered them to be effective in their job. Public attitudes toward the police are acritical factor in determining policing effectiveness. When the public is supportive and trusting of its police service people are more willing to cooperate, share information, and assist in ensuring successful policing outcomes. Without that support, even diligent pursuit of policing tasks may not suffice to achieve outcomes deemed satisfactory by all. It emerged that the public consider police misconduct a rampant problem and deeply-rooted in the culture of policing in Kenya. The public in the NCBD see the policing system as tolerant of police abuse of power. No responsibility for accountability is seen to be placed on the Kenya Police Service and as such the accountability of a law enforcement officer depends on his or her individual character.

5.4 Recommendations

From the foregoing findings, this study recommends the following:

5.4.1 Recommendations for practice

Promote measures that could be implemented to enhance perception of business community in NCBD and other members of the public on Kenya Police Service law enforcement practices. These include protecting and promoting human rights and fundamental freedoms of the public, protecting rights of arrested persons, employing problem-oriented policing, and carrying out sufficient patrols to prevent and deter criminals.

A significant proportion of the public concurred that the level of cooperation between the public and the Kenya Police Service is important to enhance and promote working relations between the two groups.This study however found that some respondents had not seen any meaningful cooperation between the public and the police. It is therefore recomended to increase public-police education awareness on promoting cooperation and also emphasize the need for positive coexistence as the community is seen to benefit in crime counteractive action and in this way ought to be spurred, upheld, and enabled to coordinate issues of safety and security. Police officers need to exhibit policing profession. The Kenya Police Service

ought to recruit people who want to become officers based on a realistic understanding that the large majority of police officers' time is spent addressing community requests and that actual "law enforcement" is a much smaller percentage of the time. The Police Service ought to also step up efforts in recruiting and promotional processes to increase overall diversity in the service

The study recommends that the Kenya Police Service needs to strengthen patrols, watch programmes, sharing of information, door to door contacts, use of improved hotline responses and reduce response time to crimes. The creation of an effective customer care desk in every police station would enhance public perception about the effectiveness of Kenya Police Service on law enforcement practices. Other than law enforcement, the police need to and should recognize and bolster people and associations to adequately increase safety and security.

5.4.2 Policy Recommendation

On the strength of the findings of the study, this study makes the following policy recommendations:

a) The Kenya Police Service should quickly establish personal credibility with all segments of the community and especially the business community. The NPS must articulate law enforcement standards of conduct and make clear what behaviour the NPS expects of the Kenya Police Service in law enforcement and also come up with educational programmes where the members of the public are educated to understand what constitutes unprofessional conduct and abuse of Police authority. Consequently, the NPSC should embark on serious vetting of all police officers so that all who are found unfit can be removed from the service. This way, the police will start gaining confidence from the members of the public. Vetting also would ensure that officers who remain are competent to serve in the KPS.

b) The Kenya Police Service should have active public cooperation, because it tends to increase success in controlling crime and maintaining social order. The NPS should explore ways of strengthening community policing through creating important related programmes that will help in addressing the attitude problem between the police and the public, games tournaments pitting the police and the public and clean up exercises are some of the initiatives that should be considered. Effective community policing can result in enhanced quality of life in neighbourhoods, reduction of fear of crime, greater

respect for law and order, increased crime control and crime prevention, and greater citizen satisfaction with police services.

c) The Kenya Police Service comes up with way of fear minimization by the public. This will go a long way in enhancing public –police cooperation.

d) The Kenya Police service should also have an open-door policy where the police stations will open the doors to advocate the public on what they do and allow the public ask questions on their operations.

e) Adequate feedback mechanisms should be created where the public receive feedback of cases they have reported and handled by the police. The link between the public, police and the judiciary must well be explained to the public.

5.5 Suggestions for Further Research

This study sought to explore perceptions of business community on Kenya Police Service law enforcement practices in Nairobi Central Business District. Although the study attained its objectives, it mainly focused on the perception of business community within the NCBD. These findings cannot therefore be generalized on all business people across the country. Future studies should therefore, cover other cities and towns to enhance and compare generalization of the findings. The areas recommended for further research also include the need to conduct studies on how Kenya Police Service law enforcement practices are affecting emerging institutions like the National Police Service Commission, the Independent Police Oversight Authority and the office of the Inspector.

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APPENDIX I: QUESTIONNAIRE (GENERAL PUBLIC)

SECTION A: PERSONAL DATA

Kindly answer the questions in this section by ticking in the boxes provided.

1. Gender (tick)

   Male ☐   Female ☐

2. Age (tick)

   Below 21 years ☐   21 – 30 years ☐

   31 – 40 years ☐   41 – 50 years ☐

   Over 50 years ☐

3. Duration you have been in Nairobi Central Business District (tick)

   Less than 1 year ☐   5 – 9 years ☐

   1 – 4 years ☐   Above 15 years

   10 – 14 years ☐   ☐

SECTION B: EXPLORING THE PERCEPTION OF BUSINESS COMMUNITY OF THE OF KENYA POLICE SERVICE LAW ENFORCEMENT PRACTICES

4. Below are several statements on how people feel about police service within the Central Business District. Kindly indicate to the extent to which you agree with each of these statements using a scale of 1-5 where: 5= Strongly agree, 4= Agree, 3= Neutral, 2= Disagree, and 1= Strongly disagree.

	1	2	3	4	5
The police service ability to prevent crime in NCBD					
The police service protects the rights of an arrested person and do not engage in arbitrary arrests.					
The police service does not engage in unlawful deprivation of life.					
The Police service employs arbitrary judgments in dealing with citizens within the NCBD.					
The police service employs problem-oriented policing to improve service delivery in the NCBD.					
The police patrols in the NCBD are sufficient to deter crimes.					

The police service recognize and protect human rights and fundamental freedoms of the public in the NCBD					

5. In what other way has the presence of police service in the NCBD been beneficial to you? _____Kindly indicate the extent that the Police are doing enough to close the gap between the citizen and the justice system.

Strongly agree	(	)
Agree	(	)
Don't know	(	)
Disagree	(	)
Strongly disagree	(	)

SECTION C: EFFECTIVENESS OF KENYA POLICE SERVICE ON LAW ENFORCEMENT PRACTICES IN NCBD

6. Below are several statements on the effectiveness of Kenya Police Service on law enforcement practicesin NCBD from (2010-2016). Kindly indicate your level of agreement with each of these statements on a scale of 1-5 where: 5= Strongly agree, 4= Agree, 3= Neutral, 2= Disagree, and 1= Strongly disagree.

	1	2	3	4	5
The Police service fairly enforces the law within the NCBD.					
The Police Service apply hot spots policing to fight crime in NCBD.					
The Police Service responds promptly to calls of assistance.					
The Police Service helps people who have been victims of crime in NCBD.					
The Police Service have a positive attitude towards the public					
Police Service carry adequate directed patrol in NCBD					
The Police Service apply systematic methods for focusing					

	1	2	3	4	5
police resources on high-priority problems within the NCBD					
The police service is committed to Procedural justice					

7. Kindly indicate what the police service could do to improve the effectiveness of police service law enforcement practices in NCBD (Select all that apply).

	Effective police law enforcement practices	Tick
1	Recruitment of more police officers	
2	Provision of more motor vehicles for patrols	
3	Improved welfare, remuneration and benefits for service of police officers	
4	Effective and working NPSC	
5	Police use of information and technology to boost crime prevention	
	Total	

SECTION D: COORPERATION BETWEEN THE PUBLIC AND THE KENYA POLICE SERVICE ON CRIME PREVENTION IN NCBD

8. Below are several statements on public perception on the level of coorperation between the public and the Kenya Police Service on crime prevention in NCBD. Kindly indicate your level of agreement with each of these statements on a scale of 1-5 where: 5= Strongly agree, 4= Agree, 3= Neutral, 2= Disagree, and 1= Strongly disagree.

	1	2	3	4	5
The police service has a good cooperation mechanism with the public on issues within the NCBD					
The police service has teamed up with the public to improve security in the NCBD					
The police service promotes internal diversity and ensure professional growth					
The police service has well functional suggestions boxes around the NCBD					
The police service is effective in sanctioning criminal behavior					

The public see police as legitimate authority.					

9. How else would you explain on the level of public perception on coorperation between the public and the Kenya Police Service on crime prevention in NCBD

_____

_____

Thank you for participating in this study

APPENDIX II: INTERVIEW GUIDE (KEY INFORMANTS)

1) What do you think is the public perception of the KPS in NCBD?

....
....

2) How do perceptions of how KPS treat the public affect their willingness to obey the law and order?

....
....

3) How do you think the public`s expectations about how the police will perform affects their evaluation of how they perform in a specific situation?

....
....

4) How do you think disparities in assessments of KPS fairness can cause indirect exposure to unfair treatment by the public?

....
....

5) What kinds of KPS agencies achieve the most positive public perceptions?

....
....

6) How do you think public understanding of their human rights influence KPS violations?

....
....

7) How do you think public understanding of their fundamental freedoms affect KPS violations?

....
....

8) Do you think KPS assistance is satisfactory? Explain?

....
....

9) How do you think is the interaction between the public and the police?

....
....

10) Does the KPS have the ability to prevent crime in NCBD? Explain

....
....

11) Does the KPS protect the rights of an arrested person? Do they engage in arbitrary arrests? Explain

....
....

12) Does KPS engage in unlawful deprivation of life? Explain

....
....

13) Does the KPS employ apply arbitrary judgments in dealing with citizens within the NCBD?

....

....

14) Do you think the KPS employ problem-oriented policing to improve service delivery in the NCBD? Explain.

....

....

15) Are the KPS patrols in the NCBD sufficient to deter crimes? Explain

....

....

16) Do you think KPS recognize and protect human rights and fundamental freedoms of the public in the NCBD? Explain.

....

....

17) Does the KPS fairly enforce the law within the NCBD? Explain.

....

....

18) Does KPS apply hot spots policing to fight crime in NCBD? Explain.

....

....

19) Does the KPS respond promptly to calls of assistance? Explain.

....

....

20) Do you think the KPS helps people who have been victims of crime in NCBD? Explain.

....

....

21) Do you think the KPS have a positive attitude towards the public especially within the NCBD? Explain.

....

....

22) Does the KPS carry adequate directed patrol in NCBD? Explain.

....

....

23) Do you think the KPS apply systematic methods for focusing police resources on high-priority problems within the NCBD? Explain.

....

....

24) Do you think the KPS is committed to Procedural justice? Explain.

....

....

25) Is there a good cooperation mechanism between the KPS and the public on issues within the NCBD?

....

....

26) Has the KPS teamed up with the public to improve security in the NCBD?

....

....

27) Has the KPS promoted internal diversity and ensure professional growth? Explain.

....

....

28) Are there a well functional KPS suggestions boxes around the NCBD?

....

....

29) Is the KPS effective in sanctioning criminal behavior? Explain.

....

....

30) Does the public see KPS as having legitimate authority? Explain.

....

....

31) Any other comment concerning this that you feel should be addressed?

....

....

Thank you for participating in this study

APPENDIX III: RESEARCH PERMIT

CONDITIONS

1. You must report to the County Commissioner and the County Education Officer of the area before embarking on your research. Failure to do that may lead to the cancellation of your permit.
2. Government Officer will not be interviewed without prior appointment.
3. No questionnaire will be used unless it has been approved.
4. Excavation, filming and collection of biological specimens are subject to further permission from the relevant Government Ministries.
5. You are required to submit at least two(2) hard copies and one (1) soft copy of your final report.
6. The Government of Kenya reserves the right to modify the conditions of this permit including its cancellation without notice

REPUBLIC OF KENYA

National Commission for Science, Technology and Innovation

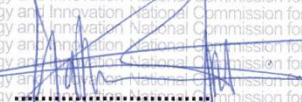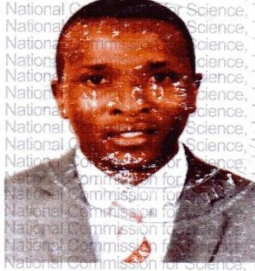**RESEACH CLEARANCE PERMIT**

Serial No.A 12437

CONDITIONS: see back page

THIS IS TO CERTIFY THAT:
MR. GATUNDU WOLLACE MAINA
of EGERTON UNIVERSITY, 29579-100
Nairobi,has been permitted to conduct
research in *Nairobi County*

on the topic: *EXPLORATION OF PUBLIC PERCEPTIONS ON KENYA POLICE SERVICE IN NAIROBI COUNTY (2010-2016). A CASE STUDY OF NAIROBI CENTRAL BUSINESS DISTRICT*

for the period ending:
21st December,2017

....
Applicant's Signature

Permit No : NACOSTI/P/16/84053/15204
Date Of Issue : 21st December,2016
Fee Recieved :Ksh 1000

....
Director General
National Commission for Science, Technology & Innovation

APPENDIX IV: RESEARCH AUTHORIZATION

**NATIONAL COMMISSION FOR SCIENCE,
TECHNOLOGY AND INNOVATION**

Telephone:+254-20-2213471,
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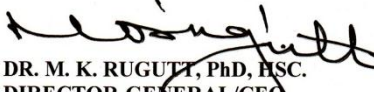Ref: No. **NACOSTI/P/16/84053/15204**

Date:

21st December, 2016

Gatundu Wollace Maina
Egerton University
P.O. Box 536-20115
EGERTON.

RE: RESEARCH AUTHORIZATION

Following your application for authority to carry out research on
*"Exploration of public perceptions on Kenya Police Service in Nairobi
County (2010-2016): A case study of Nairobi Central Business District,"* I
am pleased to inform you that you have been authorized to undertake research
in **Nairobi County** for the period ending **21st December, 2017.**

You are advised to report to **the County Commissioner and the County
Director of Education, Nairobi County** before embarking on the research
project.

On completion of the research, you are expected to submit **two hard copies
and one soft copy in pdf** of the research report/thesis to our office.

**DR. M. K. RUGUTT, PhD, HSC.
DIRECTOR-GENERAL/CEO**

Copy to:

The County Commissioner
Nairobi County.

The County Director of Education
Nairobi County.

National Commission for Science, Technology and Innovation is ISO 9001:2008 Certified