



Effectiveness of the Legal and Policy Frameworks in Controlling Gender Based Violence in Teso North Constituency – Kenya

Authors: ¹Patricia Nekesa Wanjala, ²Mary Mutisya and ³Titus Mutia

^{1,2&3}The Catholic University of Eastern Africa. **Website:** www.cuea.edu

Corresponding author: Patricia Nekesa Wanjala. **Email:** patricianekesa@gmail.com

Cite as: Patricia Nekesa Wanjala, Mary Mutisya, & Titus Mutia. (2023). Effectiveness of the Legal and Policy Frameworks in Controlling Gender Based Violence in Teso North Constituency – Kenya. *International Journal of Social and Development Concerns*, 17(Post COVID-19 Recovery and Sustainable development), 54–68.
<https://doi.org/10.5281/zenodo.8218912>

<p>Chief Editor Web: www.ijfdc.org Email: info@ijfdc.org</p> <p>Editing Oversight Impericals Consultants International Limited</p>	<p>Abstract: Gender-based violence affects both men and women, but women and girls represent the majority of victims. This study focused on the effectiveness of policy and legal frameworks in controlling Gender Violence in Teso North Constituency, Busia County, Kenya. The study adopted a cross-sectional research design and mixed method approach. This study was guided by the Theory of Change (TOC). For selecting Malaba and Amagoro Areas within Teso North Sub-County, a purposeful sampling technique was used. Data from 294 primary respondents was obtained using a random sampling technique. Data was analyzed qualitatively and quantitatively. Quantitatively, data was analyzed using statistical techniques with the help of SPSS v.27 and thematically using narration for the qualitative data. Data was presented using tables, graphs, charts and verbatim. Study results indicate that legal and policy strategies are factors that are key in combating GBV within the study areas. From the study findings, legal institutional reforms and cultural change; Quality legal aid services; progressive laws and policies as well as a good will from law enforcers are important in controlling GBV. Study findings helped in giving recommendations on the best GBV mitigation approaches that could be adopted by the communities living in Teso North Sub-County. These include; County Government engaging churches and groups in enrolling GBV victims in economic support, engaging legal minds to develop effective legal and policy strategies in controlling Gender-Based Violence and enrolling more campaign programs that should be designed to develop community-based mitigation strategies for controlling Gender-Based Violence.</p> <p>Key words: <i>Effectiveness, Legal framework, Policy framework, Gender Based Violence</i></p>
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1.1 Study background

Community conflict mitigation strategy is conceptualized as strategies and mechanisms involved in promoting peaceful conflict resolution and social retaliation. Committed group leaders seek to

overcome group disputes by regularly sharing information to the rest of the group about their opposing motivations or views such as intentions; reasons to hold those beliefs) and by participating in collective bargaining (Simons & Handl, 2019). Gender-based violence (GBV) is considered to be the most prevalent form of conflict experienced worldwide, and is one of today's world's human rights abuses and public health issues (Vindhya, & Lingam, 2019). The gender violence perpetrated towards women is perhaps the most common and violation of human rights, spreading through boundaries, age, gender, ethnicity, and religion (Simons, & Handl, 2019). The General Assembly of the United Nations in 1993 provided a list of what it has found to be abuse based on gender. Which include physical assault, in-household sexual and psychological cruelty, child sexual exploitation, dowry-related violence, marital rape, FGM, rape and sexual abuse, workplace as well as educational harassment (Vindhya, & Lingam, 2019).

According to Mangubhai, et al., (2023), GBV is a systemic human rights abuse and is frequently connected with unequal gender roles within communities and abuses of control. Violence toward women can be seen as an important part of gender inequality (Mangubhai, et al., 2023). This notes that violence against women affects men and women, as women are usually victims and result from unequal relationships between men and women in power. It can take the form of government sexual violence or harassment, or perhaps the result of discrimination enshrined in law or existing social norms and practices. This can be both a cause of forced displacement and an insupportable part of the displacement process.

This study is about community mitigation strategies that include men, women, girls, and boys to control gender-based violence. The study was based in Kenya's Teso North Sub County, in Busia Region. The bustling Bujumbura-Mombasa highway, often known as the Northern Corridor, passes through the town of Busia. It links Kenya's Mombasa port to the capital cities of the four East African Community countries of Burundi, Rwanda, Uganda, and Uganda.. Many authors have defined Gender-based violence (GBV) in many ways. However, this study combines the various perspectives into one by defining GBV as any harmful acts perpetrated against people by exploiting their gender identity as males or females.

Community-based mitigation strategies (CBMS) in this context are similar to what UNHCR Durmuş, et al., (2020) calls "Community Based Protection" (CBP). UNHCR describes CBP as engaging community meaningfully in all aspects of program implementation by organizations. It emphasizes that community-based approaches must truly involve the affected groups in all stages of the process including assessment, diagnosis, prioritization, implementation, monitoring and evaluation. This study is about community-based interventions in relation to control of gender violence. Study analyzed various types of GV before discussing Community Based Mitigation Strategies (CBMS). It also explored factors that made the strategies more effective.

According to a report in the International Journal of Gynaecology and Obstetrics, Mshelia, (2021), state that violence against women is the most pervasive form of GBV and most of it affects girls below the age of 18. Within the violence against women, the highest number of cases involves intimate male partners as perpetrators. Mshelia, (2021), report that research in 36 countries suggest that a current or former intimate partner has witnessed at least one physical abuse incident between 10 per cent and 60 per cent of women. They also add that much of the sexual violence occurs in both developed and developing countries against children or adolescents. The study says girls aged 15 years and under are

between a third and two-thirds of survivors of sexual violence. This information was obtained from records in Chile, Peru, and the United States of America in justice systems and rape crisis centres.

Toukan, (2023) was carried out to determine nature and extent of Violence against Women (VAWG). This study included all the 28 countries of the European Union. The violence included mainly physical and sexual violence. The findings showed that about 8% of the women experienced physical violence in the last one year before the survey and a third of the women had suffered physical/sexual assault since the age of 15. In Jordan, the Gender-based Violence Sub Working Group (Raftery, et al., 2022) found out four priority areas of gender violence that included forced and early marriages, domestic violence, transactional sex and sexual violence. Prevalence of GBV affects many countries in Africa. USAID Africa Health Report (2010) shows the prevalence of sexual, physical and emotional violence among married couples in six African countries namely, Uganda 68%, Cameroon 49%, Kenya 47%, Zimbabwe 47%, Rwanda 35% and Malawi 30%.

In Kenya, the issue of gender violence is widespread and is reported in all the counties. ACORD (2010) John, *et al.*, (2021) pointed out that between 27 December -31 March 2008, 635 survivors were received at Nairobi Women's Hospital and 229 of these were children. UN WOMEN, (2016) puts prevalence rates for Kenya in terms of lifetime sexual partner violence at 39%, child marriages at 23%, and Female Genital Mutilation (FGM) at 21%. A research by John, *et al.*, (2021) on physical and sexual abuse examined factors related to sexual and physical abuse and indicated that 40 percent of married women in Kenya registered one type of GBV or another.

The report indicated that 36% of the violence was physical while 13% was sexual. The majority of the abuses originated from the domestic arena involving an intimate partner. Other sources of violence came from business relations, working environment or other acquaintances. A study by Oseso, et al., (2022), on the prevalence of Intimate Partner Violence (IPV) among pregnant women in Kisumu District Hospital revealed that 37 per cent of them had at least one type of IPV during pregnancy. The most prevalent was interpersonal violence at 29%, followed by sexual violence at 12% and then physical violence at 10% (Oseso, et al., 2022),

The government of Kenya in its attempt to address the effects of GBV has enacted a string of legal measures and policies to deal with the problem (Otieno, 2020). These frameworks are meant for accountability and easy coordination in dealing with GBV. The government of Kenya (GOK) has the National Steering Committee on GBV, National GBV task force, County GBV steering committees and these work with the UN coordination on GBV under Youth and Gender Affairs and Ministry of Public Service (Muthoni, 2019).

Some of the laws that address GBV are the Sexual Offences Act which was introduced in reaction to the rise of sexual violence. The primary objective was to ensure that the complainants of sexual offenses sought redress commensurate with the damage they endured; Children's Act was provided for the preservation of children's rights and health; The Constitution of Kenya specifically allows for the rights and security of the person concerned. The same provision further prohibits all people from any form of violence, whether public or private and from any form of torture, whether physical or psychological. The new Constitution imposes the duty to ensure that the legislation on the protection of the State and its institutions is complied with. The Act stipulates that all acts undertaken on behalf of children should be in the best interests of the child. This lays down guidelines on sexual offenses, their description, avoidance and defence of all individuals from harm caused by unlawful sexual actions. In

terms of enacting laws Kenya has taken a stride though the battle against GBV is not yet finished (Beringola, 2022). The issue of implementing the enacted laws and protecting survivors remains largely unaddressed.

Many counties in Kenya have attempted to address the issue of GBV mainly through its strategic plans (Kamore, 2021). In Busia County, under which Teso North Sub County falls, the first Integrated Development Plan (Otieno, 2020), bears a vision of putting in place structures for responding to issues of GBV. The Department of Gender and Social Services of Busia County (Beringola, 2022) puts down two priorities, several constraints and strategies that need to be implemented. Gender equity and equality at all levels and the empowerment of women and vulnerable groups are put forward as the priorities of Busia County.

The plan proposes training of leaders and law-makers at ward level on GBV/PLWD and youth groups as a strategy (Beringola, 2022). It also proposes mentoring programs for the vulnerable groups and women to take up leadership roles as well as facilitating the establishment of income-generating activities (IGAs) for women and People Living with Disabilities (Otieno, 2020). This strategy ought to have addressed Gender Equity issues and Gender-Based violence within sub-county, however, the achievement so far is wanting, hence the need to carry out a research on its impact in the community. In view of the forgoing exposure on the prevalence of GBV globally, regionally, nationally and even in Busia County, the safety of GBV survivors and indeed the prevention of occurrence of violence remains a gap that requires attention (Jerusha, 2022). In Teso North Sub County just like many places in Kenya, there are hardly any effective measures for control of GBV. The official legal routes have not proved to bring about the desired picture. Many a time the survivors of GBV find themselves facing the same threat over and over again either from the same perpetrators or from new ones. This opens the research gap that this study is interested in studying (Muthoni, 2019). The study focused on 294 study participants; girls, boys, women and men from 19,870 households within Malaba Town and Amagoro division since they are all prone to GBV practices (Jerusha, 2022).

1.2 Statement of the Problem

Gender violence (GBV) is defined as sexual or gender-based violence against a person (Wirtz et al., 2020). It involves physical, sexual, mental, emotional, psychological circumstances, as well as intimidation, and economic neglect. Gender-based violence exists in all groups and cultures (Kurbanova et al., 2019). Conflict, breakdown of the rule of law, and disintegration of community and family institutions appear to exacerbate both the frequency and degree of such abuse (Kurbanova et al., 2019). It commonly occurs all over the world in homes, colleges, employers, social structures, and cultures. However, the available GBV mitigation strategies such as legal and policy strategies have been subject to critique (Magdy, & Zaki, 2021). Critics claim empowerment and legal approaches effectively minimize issues such as GBV, but they are not enough to overcome underlying systemic obstacles and problem. According to these scholars, empowerment requires a transformation of gender relationships organized around power, involving more than just economic empowerment. Unfortunately, the legal system in the both the developed and developing countries is failing to protect the society from gender violence thus the trickle effect on the counties and villages, (Lubaale, 2022). This in turn can lead to divorce, or broken families as well as jeopardizing the family's economic and emotional development (Grace, 2022). It is based on these problems associated with the low use or none adoption of GBV mitigation strategies among the communities in Teso North Sub County that informs the need to conduct this study. It focused on 294 study participants; girls, boys, women and men who are vulnerable to GBV from 19,870 households in Teso North Sub County. The purpose of

this study was to investigate the effectiveness of legal and policy frameworks in controlling gender-based violence in Teso North Sub County.

1.3 Study objective

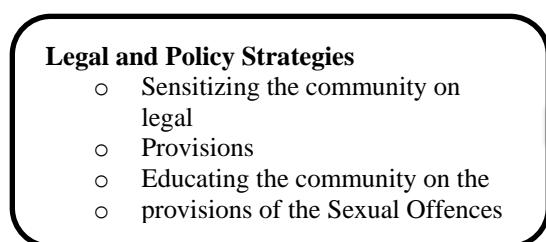
To determine the effectiveness of the legal and policy strategies in controlling gender based violence in Teso North Constituency.

1.4 Justification of the Study

This study is on community-based mitigation strategies for effective control of gender based violence. It has been argued here that the legal and policy frameworks have not been implemented enough to cater to this need. It has also been shown that GV is a very prevalent issue in Kenya affecting up to as many as 40% of Kenyans. This percentage includes productive men, women and children that urgently require alternative measures of protection from abuse. The community-based mechanisms could prove to be one of the less costly but more effective ways of handling GBV. Therefore, this research is imperative owing to the fact that continued lack of effective interventions to the question of GBV leads to many more violations and degeneration of society. This study is crucial because it points out a serious gap in the GBV battle. If the affected communities are not empowered to offer own solutions, then the country may lose the war against GBV and the situation of affected communities may become worse. Therefore, this study is important in various ways. First, findings of the study would have theoretical value by being available for reference to other researchers in social work studies in various academic institutions especially in the faculties of social sciences. It was also the intention of the study that new insights and knowledge would be presented in the findings that might form a basis for other research efforts. Secondly, it is hoped that the findings would inform policymakers, implementers and stakeholders in GBV and related fields. The study also hoped that some practical consequences might arise out of the study. For example, stakeholders in social work such as national as well as county governments, non-governmental organizations (NGOs) and the communities of Teso North Sub County and elsewhere might find a helpful application of the findings in their own situations.

1.5 The conceptual framework

Independent variable



Dependent variable

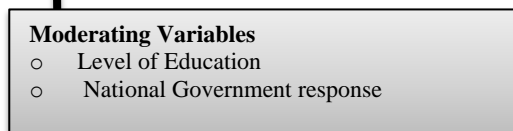
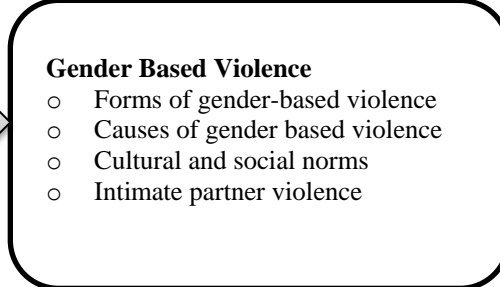


Figure 1: *The conceptual framework*
Source: *Own conceptualization, 2023*

1.6 Literature review

This section describes the theoretical review and empirical studies supporting this research.

1.7.1 Theoretical review

Theory of Change (TOC)

This study used Theory of Change (TOC) as a framework for analysing its major components. The theory of change is traced back to the 1970s especially to Paulo Freire seeing his Pedagogy of the oppressed as a theory of change. Van Eeden, *et al.*, (2021) describes TOC as an ongoing reflective process to discuss change and how it occurs, and what it means for both the role it organizations play in a specific context, sector or community of people. In particular, study exploits one theory of change developed by Action Help United Kingdom's Zohra Moosa (Van Eeden, *et al.*, 2021). She calls it Theory of Change to Tackle Impact of Violence against Girls and Women.

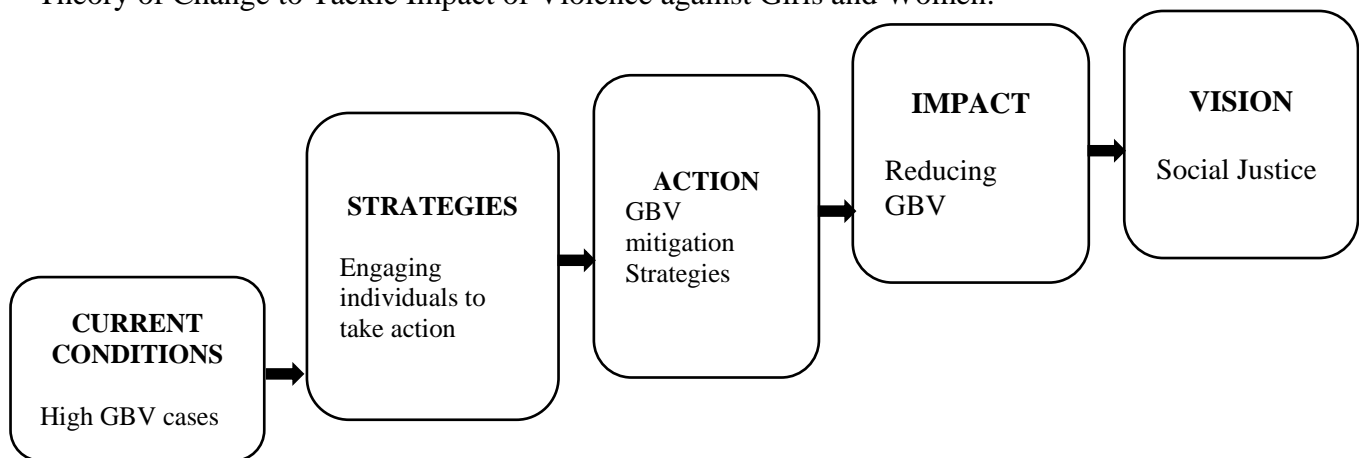


Figure 2: *Theory of Change Model*

Source: *Researcher, 2020*

In particular, the research makes use of one theory of change developed by Zohra Moosa of Action Aid United Kingdom (Bush, 2019). She calls it Theory of Change for Tackling Violence against Women and Girls. Moosa developed this theory while working with women and girls in Asia together with community groups and the Department of International Development in the United Kingdom (DFID). She worked in collaboration with a group of professionals in humanitarian work.

The theory specifically aims at reducing violence among women and girls and is based on seven principles (Van Eeden, *et al.*, 2021). The first principle is that for any conflict mitigation strategy to succeed, a rigorous analysis of the social context is critical. The second principle is that the national government has the primary responsibility to enact laws, policies and provide necessary services in the protection of women and girls. Next, there should be holistic and multi-sectoral approaches at various levels in order to have an impact (Van Eeden, *et al.*, 2021). The fourth principle is that social change makes all the difference through sustainable norms. Then backlash and resistance from society must always be expected but should not pull back the intervention efforts. The sixth principle is that women's rights organizations should be formed and supported to sustain the change.

1.7.2 Empirical review

Legal and Policy Strategies and Gender-Based Violence

According to Goodmark (2021), institutional and legislative systems are generally understood to be the collection of laws, regulations, plans of action, and financing priorities that are promulgated by a governmental organization or its representatives with regard to a specific subject. Access to justice can therefore be a motivating and important step in a survivor's healing process. High-quality legal aid services for GBV survivors can aid in putting an end to impunity and in promoting a culture of accountability, in addition to legitimizing their suffering and allowing them to exercise their rights (Renz, 2023).

According to Stoever, (2019), the legal system in the USA is failing to protect the society from gender violence as well as in many developing countries and thus the trickle effect on the counties, villages and also in parts of Europe. There is a strong need for updating outdated legislation in order to give survivors access to justice which also needs systemic which cultural change in both the industrialized and developing worlds (Renz, 2023).

According to Stoever, (2019) Kenya is among countries in Africa with progressive laws and policies aimed at controlling sexual and gender violence. Apart from the penal code, a number of legislations have been put in place including the Kenya Constitution 2010. There is the Children Act, The Sexual Offences Act, Victims of Offences Act, the Protection Against Domestic Violence Act, Prohibition of Female Genital Mutilation, the Marriage Act among others, (Bannister and Moyi, 2019). Communities are expected to apply any of these legal documents in responding to GBV (Balongo, 2019). However, the justice system in Kenya many times takes a long time and is expensive. This has resulted in many individuals and communities giving up on these and not seeing them as viable and effective means at hand for resolving GBV (Balongo, 2019).

In a Gender Open Forum (GOF) held in Nairobi, it was brought to the attention of the general public that there is still a lack of goodwill from the police (Ali, 2022). The forum called on the government to implement the 'no more than two thirds' gender rule to ensure that there is the incorporation of women issues into decision making (Stoever, 2019). The government of Kenya (GoK) in its attempt to address the effects of GBV has enacted a string of legal measures and policies to deal with the problem. These frameworks are meant for accountability and easy coordination in dealing with GBV. The GoK has the National Steering Committee on GBV, National GBV task force, County GBV steering committees and these work with the UN coordination on GBV under Youth and Gender Affairs. According to Stoever, (2019) in terms of enacting laws Kenya has taken a stride though the battle against GBV is not yet finished. The issue of implementing the enacted laws and protecting survivors remains largely unaddressed.

Bwire, *et al.*, (2021) writing on situation of sexual and Gender-Based Violence (SGBV) in Kisumu pointed out that, the biggest challenge that remains unaddressed yet important is the provision of a conducive environment fit for psychosocial support of SGBV survivors, a serene environment which can facilitate the healing process from the traumatic experience. He points out the long legal process as one of the hindrances to a quick resolution of GBV survivors (Etyang, 2020).

Many counties in Kenya have attempted to address the issue of GBV mainly through their strategic plans (Etyang, 2020). In Busia County, under which Malaba town falls, the first Integrated Development Plan bears a vision of putting mechanisms in place to respond and address issues of GBV

(Goodmark, 2021). However, this is too general and remote for an issue that requires an urgent response. The situation of Busia County pauses a question on whether there are adequate safe shelter facilities within acceptable internationally and national safe shelter guidelines that are well known and adhered to- when it comes to the establishment and management of these facilities (Etyang, 2020).

1.8 Research methodology

Research Design: The research adopted a cross-sectional design because of its appropriateness in identifying the study question – effectiveness of legal and policy frameworks in controlling GBV in Teso North Constituency. Cross-section design and mixed methods approach were used to assess the occurrence of an attitude, actions or any other problem in relation to a sample component. The study mainly took advantage of the qualitative method. It ensured that an in-depth review and explanation of individual stories and published material were carried out in order to draw conclusions. The methodological method was expressed in the Focus Group Discussions–FGDs. FGD is a good way to learn why a certain Percentage of the population chooses a particular path or product.

Site Description, Study and Target Population: The research site was in Malaba in Kadetewai Location and Amagoro Division in Teso North Sub County. Teso North Sub County has 57,420 males and 60,527 females making a total 117,947 people in a ratio of 54% to 46% female to male (KNBS, 2019). Teso North Sub-County has 23,432 people and a density of 451.90 per square kilometer (KNBS, 2019). Most parts of the Constituency have a clustered pattern settlement which is greatly influenced by the availability of social amenities like health facilities, schools, proximity to roads, and other infrastructural development. Malaba and Amagoro areas were selected as the geographical location for the study because they combine a variety of factors that contribute to GBV situations due to mix of urban and rural cultures and the variability of settlements. The towns are in a unique position as places that combine both urban and rural lifestyles and are influenced by proximity to the border with Uganda. These towns are busy hubs of all kinds of commercial activities. They have attracted the settlement of more cosmopolitan populations living alongside the native Teso community. Both towns sit on the main northern corridor highway and railway running from Mombasa to Kampala in Uganda and other countries. Both places are thriving trade centres with agricultural and manufactured goods. The study focused on the households in Malaba in Kadetewai Location and Amagoro division in Teso North Sub County. The Malaba and Amagoro areas have a total of 19,870 households; 7,302 households in Malaba and 12,478 household in Amagoro, (KNBS, 2019). The study targeted this population because they were the direct object of the study and they would help in giving relevant responses to the situation. However, the research also targeted the staff within the county government departments such as Gender and Social Services, and representatives from non-governmental organizations (NGOs) working in the study area.

Sampling Frame and Sample Size Determination: A sampling frame refers to a population from which a sample is drawn. It may include individuals, households or organizations. The participants in this research were picked from representatives of members of 19,780 households from Malaba and Amagoro Locations in Teso North Sub County. The primary respondents were women, men, girls, and boys of varying ages provided that they were above the age of 18 and they lived in the study area. The sample frame also included representative staff from the national government as well as county government departments and non-governmental organizations (NGOs) especially those whose work could be relevant to the study and were based in the study location. The sample size was determined by using the Nassiuma method (2000), from the 19,780 households from Malaba in Kadetewai Location and Amagoro division:

$$n = \frac{NC^2}{C^2 + (N-1)e^2}$$

Where;

n = sample size

N = the population

C= coefficient variation (assumed to be 60%)

e =the standard error (assumed to be 0.05)

$$n = \frac{19,780 \times 0.6^2}{0.7^2 + (19,780 - 1)0.05^2}$$

$$= \frac{7,120.8}{24.229}$$

$$= 293.90$$

$$n = 294$$

Therefore, sample size for quantitative data was 294 respondents consisting of household representatives who were members of social groups. Table 1 shows the proportional distribution of the total sample size. Since Malaba and Amagoro study areas have varying number households; therefore, sample size at each location was arrived at using the formula;

$$\frac{\text{No. Households at Every Location} \times 294 \text{ (Sample size)}}{\text{Total Targeted No. of Households (19,780)}}$$

Table 1: Sample Population

Name of Location	No. of Households	Sample Size
Malaba	7,302	109
Amagoro	12,478	185
Total	19,780	294

Source: Field data, 2022

The purposive technique was used in selecting the actual respondents. Purposive criterion lets the researcher choose the segments in the population frame that are judged relevant to the variables of the study. In this case, the researcher targeted representatives from households and social places such as churches, hospitals, chiefs' offices, and women groups. The snowball technique was also used when the study meets one survivor of GBV where the researcher asked to be led to another person they know. Snowballing is appropriate in such cases where the matter under study is considered sensitive and people do not come out easily.

Methods and Instruments of Data Collection: The researcher used semi-structured questionnaires, Focused Group Discussion and an observation guide to collect primary and secondary data respectively. **Questionnaires.** This study used the questionnaire to collect data from 294 household representatives (109 from Malaba and 185 from Amagoro). The household representatives targeted were reached from certain social groups such as church, hospitals, education institutions, organizations and official associations within Malaba and Amagoro, in Teso North Sub County, Busia County. Questionnaires were comprised of only closed-ended questions. **Focused Group Discussion.** The researcher developed Focused Group Discussion interview guide that was used to collect data from key informants through focused group discussion. The questions were tailored to capture a lot of qualitative information. Probing was done by the researcher to fill in the perceived gaps. The organized groups included (1) from women group representative, (1) from youth groups representative and (1) households representative in Amagoro; (1) from women group representative, (1) from youth groups representative and (1) households representative in Malaba; lastly, 1 member from an association where both men and women are members. This was important in capturing other aspects that might not have been captured during the personalized interviews. Group discussion gave room for consensus on crucial issues. During data collection, the responses from individual informants were recorded using notebooks according to the sensitivity of the respondents. The researcher made sure that the participants were free to respond, talk and share their views freely. The researcher personally led the focus group discussion sessions and only solicited for the help of research assistants for purposes of noting the proceedings.

1.9 Study Findings

Questionnaire Return Rate

Study sampled 294 respondents and 6 key informants from Teso North Sub County. The respondents were administered with questionnaires while the group leaders who were the key informants were engaged through Focused Group Discussion. The response rate for dully filled questionnaire and complete FGD is presented in Table 2.

Table 2: Rate of Return Questionnaire

Questionnaires	Number Issued	Response Rate	Percentage
Questionnaires	294	209	71.09
Focused Group Discussion	7	6	85.71
Total	294	209	71.09

Source: Field Data 2021

Of the 294 sampled participants, 209 returned dully filled and complete questionnaires for 71.09% return rate. Moreover, 6 key informants provided complete FGD for 85.71% return rate. Thus, the study obtained an overall response return rate of 71.09% which According to Saleh and Bista (2017), social science analysis requires a response rate of at least 70%. As a result, it was determined that the response rate was adequate for the study. However, the high response rate was made possible because the researcher personally followed up with the respondents and gave them enough time to complete the survey. Additionally, the key informants' convenience was taken into account when scheduling the FGDs.

Effectiveness of The Legal And Policy Strategies In Controlling GBV

The second objective sought to establish the effectiveness of the legal and policy strategies in controlling GBV. The legal and policies strategies considered to be effective in controlling GBV were legal aid services for survivors, legal institutional reforms, progressive laws and policies, goodwill from the police and the legal processes. These were analyzed and presented as shown in table 3.

Table 3: Effectiveness of Legal and Policy Strategies in Controlling GBV

		Frequency	Percent	Cumulative Percent
Quality legal aid services for GBV survivors helps in combating impunity and fostering a culture of accountability	Strongly agree	17	8.1	8.1
	Agree	91	43.5	51.7
	Neutral	77	36.8	88.5
	Disagree	21	10.0	98.6
	Strongly Disagree	3	1.4	100.0
	Total	209	100.0	
Legal institutional reforms and cultural change play a key role in combating GBV	Strongly agree	16	7.7	7.7
	Agree	95	45.5	53.1
	Neutral	73	34.9	88.0
	Disagree	16	7.7	95.7
	Strongly Disagree	9	4.3	100.0
	Total	209	100.0	
Progressive laws and policies enhance control to sexual and gender violence	Strongly agree	19	9.1	9.1
	Agree	87	41.6	50.7
	Neutral	71	34.0	84.7
	Disagree	25	12.0	96.7
	Strongly Disagree	7	3.3	100.0
	Total	209	100.0	
Lack of goodwill from the police to support victims of GBV promote GBV	Strongly agree	18	8.6	8.6
	Agree	91	43.5	52.2
	Neutral	82	39.2	91.4
	Disagree	17	8.1	99.5
	Strongly Disagree	1	.5	100.0
	Total	209	100.0	
A long legal process is one of the hindrances to a quick resolution of GBV victims	Strongly agree	17	8.1	8.1
	Agree	100	47.8	56.0
	Neutral	71	34.0	90.0
	Disagree	19	9.1	99.0
	Strongly Disagree	2	1.0	100.0
	Total	209	100.0	

Source: Field Data 2021

Results of the study in table 3 indicate that quality legal aid services for GBV survivors helps in combating impunity and fostering a culture of accountability. This was supported cumulatively by more than a half of the participants 51.7%. However, 36.8% participants were not sure with the impact of quality legal aid services for GBV survivors helps in combating impunity and fostering a culture of accountability. The rest of the participants disagreed that quality legal aid services for GBV survivors helped in combating impunity and fostering a culture of accountability. This implies that legal aid services assist GBV survivors in combating impunity and fostering a culture of accountability. This was in support of Kasyoka, (2018) study which established that barriers Women Survivors of Gender-based Violence Experience is difficulty in Seeking Legal Services.

In addition, cumulatively majority of the participants 53.1% agreed that legal institutional reforms and cultural change play a key role in combating GBV. 34.9% were not sure while the rest of the

participants disagreed that legal institutional reforms and cultural change play a key role in combating GBV. Similarly, Zada, (2021) indicated that legislative, institutional and policy reforms to combat violence against women in Afghanistan. Similarly, 41.6% participants agreed and 9.1% strongly agreed that progressive laws and policies enhance control to sexual and gender violence. However, 12.0% participants disagreed while 3.3% strongly disagreed that progressive laws and policies enhance control to sexual and gender violence. This was in support of Deane, (2018) that observed that strong legal policies are critical in the fight against sexual violence in South Africa.

The study findings also revealed that lack of goodwill from the police to support victims of GBV promote GBV. This was supported by 8.6% participants who strongly agreed and 43.5% who just agreed with the statement. However, 39.2% were not sure whether lack of goodwill from the police to support victims of GBV promote GBV whereas the rest disagreed. Study findings were in contrary to Stiftung, (2014) which established that in Nairobi, the general public indicated that there is still a lack of goodwill from the police. Lastly, cumulatively 56.0% participants agreed that a long legal process is one of the hindrances to a quick resolution of GBV victims. However, 34.0% participants did not know whether a long legal process is one of the hindrances to a quick resolution of GBV victims while the rest disagreed with the statement. Study results implied that long legal process was a hindrance to a quick resolution of GBV survivors. This was in support of Omukhango, (2016), which established that situation of sexual and Gender-Based Violence (SGBV) in Kisumu is high due to the long legal process.

The study also administered Focused Group Discussion to help capture the perspective of the key informants in the position of legal and policy in controlling GBV. The findings were indicated as shown below;

In most cases the law is not followed fully as it should be and the victims are left to suffer in silence. The use of the law is sometimes not fully adhered to depending on some circumstances [FGD: Respondent 1 & 2, March, 2021]

The GBV law regulates the measures needed effectively to achieve the principals of gender equality, to express and make perpetrators accountable and guarantee support to the victims [FGD: Respondent 3, March, 2021]

Our laws have improved and are straighter forward with regards to certain forms of gender violence such as rape. However, more has to make laws on physical abuse that are elaborate and straight forward in terms of punishment to offenders. Report all the abuse and violence to the nearest police station. Join community based victims support initiatives and be trained as a volunteer. Be part of the national dialogue throughout the country to allow communities to speak freely about gender based violence [FGD: Respondent 4, March, 2021]

The use of law has helped reduced GBV in our society because of the heavy penalty imposed on these practicing GBV. The government should enact strict laws to govern GBV issues and moreover sensitize people on matters of living with one another harmoniously through main education [FGD: Respondent 5, March, 2021]

1.10 Conclusion

The study concluded that quality policy strategies promote the fight against GBV through legal aid services for GBV survivors, legal institutional reforms, and the implementation of existing progressive laws and policies on the second research objective. However, the law enforcers' lack of willingness to

assist people affected by GBV promotes GBV, and the lengthy legal process is one of the barriers to a speedy resolution for GBV victims. The researcher also came to the conclusion that, in most cases, the law is not followed as strictly as it should be, and victims are left to suffer in silence. Depending on the circumstances, the use of the law is not always strictly followed. The GBV law regulates the measures required to effectively achieve the principles of gender equality, to express and hold perpetrators accountable, and to ensure victim support.

1.11 Recommendations

Based on the findings, the following recommendations were made:

- i. The study recommends the County Government to engage churches and groups in providing economic support in controlling Gender Based Violence.
- ii. The study recommends the County Government to engage legal minds in order to develop effective legal and policy strategies in controlling Gender Based Violence.
- iii. More campaign programs should be designed to develop community-based mitigation strategies for controlling Gender Based Violence.
- iv. The ministry of health, county governments and CBOs should roll out behavioral change campaign with an aim to combat GBV. This can be done through forums in the women groups, men groups, youth groups, barazas as well as church forums.

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