



## State Intervention Strategies Dealing with Domestic Violence in Vihiga County, Kenya

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**KeyWord:** Combating, State Intervention Strategies, Dispute Conflict Resolution, Domestic Violence, Educational Awareness, Forensic Investigation, Gender Mainstreaming, Justice System, Law Enforcement

**Abstract:** State intervention strategies undertaken to manage domestic violence in Vihiga County of Kenya remain a challenge due to recurring domestic violence offences. The justice system has lapses in enforcing the law on domestic violence in Vihiga County despite the law enforcement by the state. The study revealed gross human rights violations, perpetration and manifestations of physical, sexual, psychological and emotional violence against household individuals in Vihiga County. The overall objective assessed state intervention strategies in dealing with domestic violence in Vihiga County, Kenya. The research was informed by a conceptual framework, liberal peace and feminist theories that were instrumental in literature review, identification of study gaps and compilation of the findings. The study adopted both qualitative and quantitative research techniques in data collection and analysis. Descriptive research design was employed to examine state intervention strategies in the management of domestic violence in Vihiga County, Kenya. The study sampled 400 respondents using random and purposive sampling. The study sample comprised of 338 Household heads randomly sampled while purposive sampling was applied to get 4 Court Officers, 4 Children Protection Officers, 41 Assistant Chiefs and 13 Police Officers who took part in the study. Closed-ended 5 point Likert Scale questionnaire, interview and FGD guide was employed for data collection. Qualitative data was thematically cleaned, coded and analyzed while quantitative data from questionnaires was analyzed using Statistical Package for Social Science (SPSS) and Excel then presented in frequency tables, bar graphs and pie charts in accordance to the study variables. The study established that domestic violence was commonly perpetrated to male, females and children in families in Vihiga County. The existing law enforcement strategies and institutions have challenges in providing justice to victims and prosecuting perpetrators of domestic violence in Vihiga County. Both constitutional and non-violent conflict management strategies were used in combating domestic violence by the law enforcers and the community. The findings show that domestic violence legislation has challenges due to lack of institutional records, ineffective forensic investigation due to lack of equipment and qualified personnel, corruption, failure of witness to provide information, escape of perpetrators, compromise of law enforcers and community elders during arbitration. Technology, illiteracy, poverty, aggression and patriarchal practices were cited as factors contributing to family violence in the study area. The study recommended Vihiga County Government to effectively enforce domestic violence laws and protocols to prevent domestic violence in Vihiga County. The findings revealed domestic violence had lapses in legislation of family laws by enforcement institutions prompting personnel training needs to enhance integrated proactive human rights based approaches for effective management. The government should restructure the legal framework on domestic violence offences to protect citizens against family violence in Kenya. The findings therefore filled the gap on state intervention strategies in the management of domestic violence in Vihiga County, Kenya. The study recommended for the need effective interventions strategies that encompass individuals, community leaders, government officials and non-governmental organizations in preventing and addressing domestic violence in Kenya.

### I. INTRODUCTION

Domestic violence has been cited as global phenomenon affecting people of all cultures, age, economic and educational background around the world. According to Kenney (2012) domestic violence affects people of all cultures, ages, economic and educational backgrounds. The violence occurs between family members and intimate partners who may include husband, wife, children, elderly persons, siblings and relatives. Domestic violence depicts any form of violence, threat or imminent danger against other person in a domestic relationship (Kenya Gazette Supplement Act, 2015). According to Kenya Gazette Supplement Act 2015 domestic violence on men, women and children lack specific legislation. The violence may comprise physical, psychological and sexual methods of control perpetrated by male and female gender (Kenney, 2012). Intimate partner abuse include emotional abuse in form of emotional abuse such as humiliation, forced isolation, loss of control over finances leading to threats with weapons to scare the victim (Kenney, 2012).

According to Adebayo (2014) domestic violence manifest in forms of domestic abuse, spousal abuse, battering, family violence, dating abuse in intimate partner relationship. The perpetration patterns of behaviour involve abuse by one partner against another in an intimate relationship or within the family. The survivors experience physical aggression or assault such as hitting, kicking, biting, shoving, restraining, slapping, throwing objects and battery, threats, sexual abuse, psychological abuse, controlling or domineering; intimidation, stalking, passive or covert abuse and economic deprivation are the major incidences perpetrated by male and female individuals (Adebayo, 2014). The nature, extent and prevalence of domestic violence are a devastating phenomenon that requires state and non-state actors action. According to Justice Nancy Baraza in Kenya Gazette Supplement of 2015, the journey towards achieving domestic violence legislation is long and protracted calling for concerted efforts with the civil society and the parliament of Kenya for prevention. A study conducted by Kaluyu (2007) showed that in South Africa one adult woman out of every six was assaulted regularly by her mate with no recourse. In Uganda 41% women aged between 20-44 years reported to have been beaten or physically harmed by intimate partners with no protection by law enforcement. Other studies have shown violence against men has been on-going in society but under great cover. Men suffer violence in silence and fear of intimidation by other men (Kaluyu, 2007). According to research domestic violence typically happens behind closed doors, a crime not always reported to the police, friends or neighbours hence no realization of abuse unless physical signs are manifested on the victim (Kenney, 2012). Domestic violence has persistently remained a challenge to state intervention agencies enforcing the law on offenders and victims of the violence. According to Kaye (2006) spousal battering or intimate partner violence is a mixture of physical and coercive behaviours designed to manipulate and dominate family relationships. Domestic violence considers gender as a social construction of power dominance between men and women in intimate relationships. Johnson (2008) pointed out that domestic violence situation were characterized by anger, frustrations and intense emotions by perpetrator in household. Johnson further observed that in America circumstances surrounding both the abuser and the victim required different criminal justice legislation.

Johnson reiterated that the police arrest does absolutely nothing to remedy too many underlying problems within the family (Johnson, 2008). The perpetrator and victims of household violence continue to increase because the criminal justice system had lapses in providing justice in society. Lockton & Ward (1997) pointed out that many researchers have noted that domestic violence was under-reported to the police although there were discrepancies amongst the researchers on the extent of under-reporting varying from 98% to 29%. Studies show only 12% of the reported cases of domestic violence were made subject of crime report. Survey statistics indicated that despite public awareness domestic violence problem is still a vast. In Britain 25% of women who experienced domestic violence 10% reported similar incidences within 12 months. In 1992 British Crime Survey reported 990, 000 (46%) of all violent crimes against women 100, 000 occurred in homes (Lockton & Ward, 1997). Kaur & Garg (2008) observed that in United States of America 85% of all crimes experienced by women were cases of intimate violence compared to 3% of experienced by men. The survey has compounded statistic and mainly focusing on women alienating the male victims. These therefore call for a significant survey to examine the extent of violation of male gender by female gender in the family setup. According to Kenya National Crime Research Centre (NCRC) of Kenya gender based violence is pervasive, largely unreported while the reported instances were retracted and settled. Governments have developed policies and legislations to mitigate its occurrences yet the violence still reoccurs. The non-state actors have tried to provide victims with psycho-social support and public sensitization with no significant but no progress have been realized (NCRC, 2014). The report advances that the rights of men, women, boys and girls still remain at the whims of gender-based violence perpetrators (ibid). State and non-state actors should enact policies and guidelines to provide law and order to situations that lead to human rights violation. According to Lockton & Ward (1997), domestic violence is a problem within the society. There is under-reporting of violence against men, women and children, published figures mainly capture women but alienate men and children victims. The adequacy of the civil and criminal justice to deal with perpetrators of this crime was the subject the study gaped (ibid). Studies conducted show domestic violence prevalence attempts remain a challenge to state intervention worldwide.

Coomaraswamy (2000) observed that legislation in regard to domestic violence stands out as a modern phenomenon that requires drafting of special laws, remedies and procedures to prevent it. In 1998 National Elder Abuse report showed 450, 000 elderly persons above 60 years were abused and neglected by adult children and spouses in domestic settings. A study by Mulinge (2008) showed 13 million children suffered HIV/AIDS infections in Sub Saharan Africa. In 2003 Sub Saharan African female population translates to two thirds of the youths living with HIV/AIDS infection. All these challenges are attributed to poverty and lack of conformity to law enforcement guidelines (Mulinge, 2008). According to Benekos & Merdo (2006) the Georgian law in United States of America convicts offenders of violent offences are convicted of a life imprisonment. In California judges impose a life sentence or triple sentence for offences of domestic violence. Megan, Grimm & Kunz (2007), pointed out that the police service is to protect and promote human rights in states. Thompson & Hickey (2002), observed that the police service is highly linked to the criminal justice system, is vested with the authority to arrest criminals, maintain law and order within states. United States Agency for International Development [UNSAID] (2013) also reported that sexual violence was a crime against humanity that needed effective law legislation for criminal justice. The reviewed literature revealed that in America and other states police protected families from perpetrators of domestic violence (ibid). Law enforcement institutions act as pillars against human rights violations of which lapses lead to a state of lawlessness.

Studies by International Federation of Red Cross and Red Crescent Societies [IFRCRCS] report (2015) show Haiti government legal framework prohibits Gender Based Violence [GBV] crimes and guarantees the right to life, health and respect to all citizens without distinction. Inter-Agency Standing Committee [IASC] (2005) guidelines provides intervention in humanitarian settings and coordinate

multi-sectorial interventions to combat sexual violence (ibid). African governments, civil society, the private sector, schools and colleges should take a leading role in combating GBV. According to these studies state institutions have a task of implementing legal legislation on managing perpetrators and victims of domestic violence. In Zimbabwe Musasa project offers shelter, counselling and legal services to survivors of domestic violence for young men and women in tertiary institutions through non-violent conflict resolution mechanisms (Terry & Hocare, 2007). South Africa's Gender Advocacy Programme (SAGAP) tackles domestic violence through health services and treatment of survivors of domestic violence while Nkyinkyin Project of Ghana (NPG) works with traditional and religious leaders to engage communities in combating intimate partner violence. According to Murungi (2012) the legal framework in Kenya has limitations in enforcing gender violence laws and protocols in communities. Megan *et al* (2007) observed that Kenya Police hardly apprehended perpetrators nor investigated domestic violence incidences within families in Kenya.

Kenya act of parliament 2015 provides for protection and relief for spouses, children plus other dependent persons against domestic violence in the family. Kenya National Gender and Equality Commission [KNGEC] in accordance to article 59 (4) and (5) of the Constitution of Kenya 2010 and the Kenya National Gender and Equality Commission Act (KNGECA) (2011) spearheads for the promotion of gender equality, inclusion and freedom from discrimination by ensuring all laws, policies and guidelines are enforced to mitigate GBV in Kenya. KNGECA (2014) and United Nations Children's Fund [UNICEF] (2005) emphasized for educational management strategies that can increase knowledge and assertiveness among families to prevent gender violence. The state should collaborate with civil societies to strengthen the current national legislations for zero tolerance on domestic violence crimes (UNICEF, 2005). Constitution of Kenya (2010) legislates on elimination of gender discrimination, gender violence and enforcement of human rights. According to Rehn & Sirleaf (2002) state governments should enact new legislations to strengthen old laws prosecuting perpetrators of domestic violence and GBV. Ouma (2013) observed that Kenya Governance Justice Law and Order (GJLO) mechanisms should enhance the security of its citizens as well as protecting their rights. This background information exhumes constitutional amendment on domestic violence law legislation and enforcement for effective management of domestic violence crimes. The reviewed literature revealed prevalence of domestic violence, challenges in implementing law enforcement on perpetrators and victims of domestic violence in society the study sought to investigate. According to Capis (2012) ineffective law enforcement systems warrant offenders with criminal history to commit further offences. Atetwe (2008) recommended the need for research on domestic violence occurrences in order to establish the magnitude of elderly abuse in Emuhaya district. It was on this background the study sought to assess state intervention strategies employed in dealing with domestic violence in Vihiga County, Kenya.

## 1.2 Statement of the Problem

Domestic violence has persistently remained prevalent among individuals within family households in Vihiga County of Kenya. World Organisation against Torture (OMCT) report (2008) revealed that domestic violence was rampant in Kenya despite interventions by the state and Civil Society actors. According to Uwayo (2014) Kenya is deeply pledged by intimate partner violence, it's private, isolated and marred with traditional and cultural considerations. Research reports on service providers show women suffer domestic fights under many circumstances. According to gender studies reveal that domestic violations in households accounts for 48% of the world statistics. Caffrey & Mundy (1995) posits that domestic violence is biological or learnt through cultural socialization. Thousands of inhabitants in Vihiga County are significantly affected by domestic violence incidences despite law enforcement strategies employed by the government of Kenya. The justice systems have challenges in dealing with domestic violence in Kenya (Aura, 2018). The criminal justice lacks effective interventions strategies to prevent human rights violations in Vihiga County. The law enforcement institutions are ineffective protecting domestic violence survivors and prosecuting perpetrator hence create loopholes for further violations in the study area. Increased attention by policy-makers, civil society, religious leaders, law enforcers and human rights organisations hardly enforce social justice in society.

The inconsistencies in non-compliance by individuals to the Constitution of Kenya 2010 in upholding on the law enforcement and human rights legislative mechanisms contributory factor to ineffectiveness of the law in Kenya. Devolution of state functions in 2013 created gaps in criminal justice system leading to dysfunctional law institutions on structural injustices in families (ibid). Studies by Atetwe & Onkware (2008) in Emuhaya and Capis (2012) in Vihiga in sub-counties recommended further research on family violence in both Emuhaya and Vihiga districts of Kenya. The researcher's survey in 2013 from social media bulletins, hospitals, witnessing isolate intimate partner violence and literature reviewed from Vihiga Court archives indicated there was a problem to be addressed. Uwayo (2014) recommended research on cultural factors contributing to domestic violence in Kenya. The survey revealed ineffectiveness of law enforcement by institutions, inadequate records on victims and perpetrators due to under-reporting of domestic violence violations. The researcher also realized that domestic violence offender's prosecution records were inadequate or unavailable leaving gaps in data violated victims in the region of study. The background helped to assess state intervention strategies dealing with domestic violence in Vihiga County. The study findings sought to fill this gap.

## 1.3 Objectives of the Study

The overall objective of the study was to assess state intervention strategies dealing with domestic violence in Vihiga County, Kenya

## 1.4 Justification of the Study

The philosophical justification of the study is that whereas domestic violence is considered to be patriarchal or a male problem in the world, in Kenya particularly Vihiga County domestic violence takes a diverse direction whereby males, females and children are key perpetrators and victims as well as revealed by the study findings. The academic and policy justification a few studies carried out in Vihiga County Atetwe & Onkware in 2008 focused on drug abuse as causing family violence and elderly abuse by and socioeconomic factors on relapses of reformed criminals by Capis (2012). There have been no studies carried out to address intervention strategies managing domestic violence in Vihiga County. Uwayo (2014) pointed out that the greatest research gaps within the realism of intimate partner violence were lack of reliable studies to determine its prevalence in non-physical forms. Uwayo observed that statistics under reported non-physical forms of intimate partner violence hence created difficulties in establishing the prevalence of psychological and emotional violent occurrences. According to Durkheim (1938) social control theory the absence of close relationships within conventional strategies cannot free individuals from social constraints hence promoting delinquency. Peer groups get involved in negative relationships, commit crime, and break laws by violating social norms governing the society. The study contributed to knowledge gaps on state intervention strategies dealing with domestic violence in Vihiga County, Kenya. The findings may assist Vihiga County government and the state in formulating policy framework to manage domestic violence in Vihiga County and the rest of Kenya. The study used secondary literature, liberal peace and feminist theories to form the basis on which the findings were grounded. The study established that domestic violence was common among the families despite intervention strategies by the government in Vihiga County. State intervention strategies seem to have lost efficacy in preventing domestic violence hence filled gaps the study.

## 1.5 The Scope of the Study

The study sought to contribute to knowledge gaps on state intervention strategies in the management of domestic violence in Vihiga County, Kenya. The study was conducted in 2017 covering a period of 4 months commencing in January and ending in April of the same year. During the period the researcher collected data from the respondents through interviews and questionnaires. The study was confined in Vihiga County for the following reasons: the area is densely populated with a high poverty index of 65% with a high dependency ratio in family households. Secondly several incidences of sexual violence and violation of human right have been cited in the area. Family violence occurrences and courts reports have attracted political, media, public health and non-state actor's attention. The study sampled five sub counties (Vihiga, Sabatia, Hamisi, Luanda and Emuhaya) in Vihiga County inhabited by Abanyole, Tiriki, Abalogoli sub tribes and other groups to provide information on domestic violence. The study sought to assess state intervention strategies dealing with domestic violence in Vihiga County, Kenya. The study was enriched by gaps from the reviewed literature, theories, documents, surveys, internet search, interviews and findings of the study.

## 2.0 STUDIES ON STATE INTERVENTION STRATEGIES ON DOMESTIC VIOLENCE

The section discusses studies on the state intervention strategies employed in dealing with domestic violence worldwide. Further empirical studies reviewed on community involvement strategy in managing domestic violence and rehabilitation of victims and perpetrators within states. Legislation of the law by courts, police officers and other non-state actors are vital on enforcing domestic violence laws. Public awareness, training law enforcement personnel, implementation of human rights and protection of families against domestic violence were also considered. The study also focused on community policing management, cultural practices, and gender mainstreaming strategies for prevention of domestic violence in the family. The study was integral in laying the background to the findings of these study.

## 2.1 Management Strategy by the Judiciary and Law Courts

According to Kenya Constitution (2010), the judicial authority exercised by the courts and tribunals help to instil criminal justice and protection of citizens. Herring (2001) points out that mediation and counselling prevents family conflicts. The courts use dispute resolution strategies such as reconciliation, mediation, arbitration, and traditional resolution mechanisms to promote justice among citizens. Deflem alludes to the fact that the legal professionals through integrative nature of attorney-client relationship can help people effectively manage tension arising from conflicts of interest during intimate relationships in society (Deflem, 2019). Deflem reiterates that trial courts should adjudicate through appellate courts, review and coordinate the interactions of all citizens with conflicts of interests by specifying the balance of rights and their obligations relative to individual interests to prevent violence. According to Benekos & Merdo (2006), Georgia law in United States offenders twice convicted of violent offences were sentenced to life imprisonment without parole, pardon or early warning. In California, judges are required to impose a sentence of 25 years to a life sentence for offenders with minor felonies.

Charlie and Minor reiterated that the law enforcement should be through practice and training of health care, social services, police and the judiciary involved in handling crime. According to Deflem (2019) an order will be called law if it is externally guaranteed by the probability that physical or psychological coercion will be applied by a staff of people in order to bring about compliance or avenge violations. Legal control must have the backing of the political force to ensure punitive sanctions are absent from both the state and international laws on domestic violence in society. The police intervention infrastructure should comprise trained professionals on forensic examination, shelter care, legal and counselling services in combating crime. Global Report on Human Rights Settlement [GRHRS] (2007) pointed out that increase in physical and sexual assault offences was due to ineffective law enforcement. Elias, Catu-ra, Dione, Gilson & Manuel (2007) observed that women in Kenya are faced with obstacles in accessing justice in courts. In practice,

the only justice available to many Kenyans is through faith-based organizations, local chiefs and community elders. The International Criminal Justice in Kenya (ICJK) has the mandate to promote, protect the rule of law and democracy to ultimately secure human rights. The ICJ should run projects to strengthen the legal protection and enforcement of laws. The Constitution of Kenya (2010) in Chapter 4 on the bill of rights part 2 on rights and fundamental freedoms article 48 advocates for access to justice. Kenyan Constitution of 2010 highlighted on the functions of the Judiciary and legal systems in enforcing the law against crime in Kenya. Chapter 10 Part 1 section 157 article 2 executes the judicial authority stipulates that courts and tribunal shall be guided by the principle that justice shall be accessed irrespective of status and not delayed. To resolve disputes courts officers should use dispute resolution mechanisms such as mediation, arbitration and traditional dispute resolution.

In Kenya sexual offenses Act 2006 incriminates rape sexual assault, defilement, indecent acts, gang rape, child pornography, incest by male and female persons, sexual harassment, deliberate transmission of HIV or sexually transmitted diseases, stupefying with sexual intent, forced sexual acts for cultural or religious reasons. The Act provides for stiff penalties of 10 years imprisonment or a life sentence of the offender (NCRC, 2014). Sexual offences law in Kenya provides for a life sentence on perpetrators but does not provide the minimum legislation hence challenges the magistrate's authority during trials and judgement. The law acts as a legal social control (ethno-imperative) coordinating states on ethical rules of behaviour or moral codes regulating human conduct as the general commands for restorative justice. Thompson & Hicky (2000) observed that trials in the criminal court dockets were extremely crowded and take long for arbitration and adjudication. Judges play a key role in offering criminal justice, discretion in accepting pleas, admitting evidence, instructing juries and sentencing offenders of crime. Today methods of punishing behaviours have changed as well as societal view of crime. In the past offenders were chained together, laboured on state-owned farms and public roads. Thompson & Hickey (2002) observed that serious offenders of gender violence have their freedom restricted by incarceration in the local and state institutions. Most prisoners were usually released on parole before finishing jail sentence hence repeated the offences. Herslin (2000) reiterated that many judges and prosecutor were corrupt.

According to Herslin (2000) in 2004 the number of women sentenced to prison increased compared to 7% (103,310) in federal and state prison. The study shows men are 8 times likely to be re-imprisoned for repeated offences compared to women. According to Algora (2007) punishment helps to restructure children and adults' immature conscience. Sub-Saharan African countries mandate a minimum imprisonment of ten years or more for rape offences. In Botswana, a person found guilty of rape faces a sentence of ten years to life imprisonment while Ethiopia's Criminal Code provides for five years or life imprisonment for rape (Horvath *et al*, 2007). Kenya Prison Service (KPS) has the mandate of rehabilitating and reforming prisoners to facilitate justice opportunities for social integration (Murungi, 2012). According to Herslin (2000) the justice system has challenges in rehabilitating perpetrators of domestic violence in Kenya. Constitution of Kenya 2010 legal framework has the mandate of transforming perpetrators in order to prevent further violent incidences in communities. Studies show judges and prosecutors are reluctant in providing requisite social justice to victims of family violence (Algora, 2007). According to Cefrey (2009) victims need to be educated on their legal rights. Each state has its own laws and systems dealing with domestic violence offenders hence not harmonized globally.

The ICJ has the mandate to promote and protect the rule of law to ultimately secure human rights in Kenya. The Constitution of Kenya (2010), chapter 4 illustrates that the function of prisons is to rehabilitate and transform criminals into useful responsible members of the community. Basing on the background the study sought to assess judicial strategies managing domestic violence in Vihiga County, Kenya. According to Horvath, Zukani, Eppel, Kays, Konare, Park, Pischalnikova, Shankard & Zinger (2007) rape set out laws precludes, acknowledgement and punishment by the judiciary leaving the victims of sexual violence without recourse to justice. They reiterated that rape within the family was not protected by the existing laws. According to Horvath *et al* (2007) Liberia criminal law under the Penal Code on rape in 2005, DRC Penal Code 2006 and Kenya Sexual Offences Act 2006 dealt with domestic violence legislation. According to Uwayo (2014) there is no current law combating intimate partner violence in Kenya and the rest of the world. Laws on sexual offences do not recognize rape within marriage yet 13% of women are victims of marital rape. An attempt to ratify this law has stalled. Domestic violence protection bill of 2007 in Kenya recognized intimate partner violence as unacceptable by the act of parliament. The published act has challenges in providing justice to domestic violence offences (Uwayo, 2014). According to Deflem (2019) the functions of the law requires it to act as an arbiter between the opposing interests by compromising their differences to end the conflict. Conflict management involving negotiations should be applied to handle grievances and settlements by a non-partisan party. South Africa legislation introduced Criminal Law on sexual offences to protect victims in the community. In Ghana Domestic Violence Act 2007 undermines marital rape hence interfering with the prosecution processes by law practitioners.

In 2002 only South Africa and Mauritius had enacted specific domestic violence statutes combating domestic violence. Zastrow & Browler (1994) observed that courts were criticized for long delays in adjudicating domestic violence cases, conclusion and sentencing offenders. According to the study by Zastrow and Browler, 80% of the population believe that courts were not harsh enough to domestic violence offenders. Emily *et al* (2010) reiterated that cases of domestic violence in courts have limitations that hardly represented the society. Courts in communities with high levels of domestic violence hardly offer the desired justice to the victims due to weakness of the law (Emily *et al*, 2010). Pillars of justice are enshrined in the law, its effectiveness lies within the obligations of the judiciary hence failure to implement escalates its prevalence (ibid). Judicial situations neutralise conflicts and transform them from being viewed as personal matters to having public and impartial representation (Deflem, 2019). According to Njonjo, Kitonga & Ponge

(2011) crime sharply arose in Kenya in 1980 due costly formal courts that were time-consuming, had complexities in due processes and being geographical inaccessible by citizens in rural areas. In the same courts efforts for women seeking legal rights were limited. Kenny (2012) pointed out that 60% of the protection orders were violated by police officers who failed to produce criminals unless provided with arrest warrants or legal documents by courts (Horvath *et al*, 2007). The police have the obligation of maintaining law and order in protecting citizens against domestic crime. They have the authority to arrest, investigate and to prepare crime reports for effective management of domestic violence in the community.

Liberia, India and Bolivia embrace awareness campaign against domestic violence by Oxfam NGO, Forum for Women Educationist (ONFWE) and Schools. Public media through television, radio, newspapers, pop songs and music videos were used in combating domestic violence (Kenny, 2012). Constitution of Kenya (2010) chapter 4 on the bill of rights; highlighted on the functions of the Judiciary and legal systems enforcing laws on domestic violence. The constitution gave emphasis on mediation, arbitration and traditional dispute resolution mechanisms as strategies dealing with domestic violence victims and perpetrators. Despite the legislation by the courts; human rights violations remain persistent in the society. Kenya government legal framework on law enforcement need re-visitation hence prompted the researcher to assess judicial legislation on domestic violence within states. In these respect social institutions must train individuals to conform to the rules or face punishment. Lapses in the justice systems create cracks in the law leading to weakness in the enforcement strategies combating domestic violence offences. Deflem 2019 stated that the styles of legal social controls are punitive, customary and confrontational responses that may involve the taking of life, liberty and property. Punishment is applied through a criminal law when the guilty offender in which condemned to suffer pain, deprivation or humiliation (Deflem, 2019).

## 2.2 Community Involvement in Domestic Violence

According to Wahab & Odetokun (2014) mediation in traditional Chinese that involves conflict resolution is legitimized by the government law resolving domestic violence in the family. Wahab and Odetokun pointed out that traditional conflict management and resolution techniques in China utilized community members, community-based judicial and legal decision-making apparatus in combating family conflicts. The approach facilitates dialogue for unity and togetherness of parties in conflict. Studies by Wahab & Odetokun also showed that Traditional Mediation (TM) was an effective strategy in dealing with interpersonal, group conflict, marital problems, inheritance, ownership rights, murder, bride price and rape in families. Coomaraswamy (2000) further pointed out that community elders and religious leaders have a responsibility of preventing domestic violence in society. Examining doctrines and cultural practices that lead to subordination of women and violation of human rights were to be addressed by the community. The indigenous conflict management strategy was considered to be appropriate in resolving domestic violence offences compared to the Western legal justice approach (Wahab & Odetokun 2014). Traditional dispute resolution strategy lays a firm basis of domestic violence investigation addressed by this study.

According to Njonjoet *al* (2011) rapid growth in urban population, house shortages, declining economic systems, unemployment and collapse of law enforcement institutions are contributory factors to domestic violence in the community. According to UNICEF (2006) education and socioeconomic status of households individuals can help to reduce family violence. Capis (2012) pointed out that ineffective law enforcement contributed to household offences. UNIFEM (2003) emphasises on advocacy and networking of the law enforcers in promoting awareness and public education to prevent domestic violence in states. Murungi (2012) pointed out that domestic violence was challenged by cultural indifferences and barriers. Charlie & Minor (1992) advocated for equality in public and women's rights interventions against GBV. United Nations Development Fund for Women [UNIFEM] (2003) show Vienna Tribunal advocacy for proper conflict resolution mechanisms to end extreme domestic violence in the world. According to Boulding (1990), domestic violence escalates against families and community setups prompting continual engagement and negotiation in society. The study sought to assess the efficacy of community management strategy combating domestic violence in the family.

## 2.3 Public Awareness Strategy

Kenny (2012) observed that in Canada men participate in educational workshops, fundraising to provide general awareness, wear a white ribbon implying a personal pledge to condone sexual violence against women. Uganda Center for Domestic Violence Prevention (UCDVP) works with group volunteers for violence prevention in the community. UNICEF (2006) recommended education and socioeconomic empowerment of households as an intervention strategy to prevent violence in the family. According to UNIFEM (2003) Kenya government should adapt new legislation to strengthen old laws dealing with domestic and GBV.

The KNGEC recommended for public education and coordination of multispectral responses in managing domestic violence in Kenya. The commission advocated for mainstreaming gender, empowering the youths and women in the fight against family violence (KNGEC, 2014). In US the Green Book Project recommended that legal systems should collaborate with child protective services and the courts in addressing child abuse in communities in the world. The Child Development Community Policing Intervention (CDCPI) program of 1992 at Yale University School of Medicine emphasised for prevention of family violence through legislation. The law enforcers need training to deal with violence against children. Child victims to be referred to mental health providers for psycho-social support (Bragg, 2003). According to Schmallegger (2004) family education level can determine the socioeconomic status required by families. According to Owolabi (2006) education awareness skills and training on prevention help in reducing criminal activities and violation of human rights in society. Herslin (2002) recommended education as a way of reaching the desired goals of individuals in society.

According to Coomaraswamy (2000), preventive measures, public information and education can help to change family attitude toward gender. Men organizations need to provide leadership in the community to prevent violence against women. Murungi (2012) observed that combating domestic violence needed a comprehensive platform for redress. UNSAID (2012) emphasize the need for education programs for teachers, parents and councils to prevent structural violence in society. UNSAID recommended the enactment of legal infrastructures to minimize GBV. The organization cited for integration of GBV prevention strategies in law enforcement sectors in order to reduce harmful family practices in society. UNSAID advocated for establishment of intra-agency working groups, bureaux and state departments for internal coordination and integration of GBV.

## 2.4 Law Enforcement Personnel

Training and equipping legal institutions enforcing domestic violence law forms an integral legislative mechanism of the government. Horvath *et al* (2007) suggested that governments should train counsellors, the police and judges to support victims. According to Khan (2000), training and sensitization of police officers and law enforcers must be instituted for intervention of violent crimes. Gordon (2002) pointed out that in America, government grant justice department funds to train the police, track and centralize domestic violence cases. America has legal advocacy programs for victims and perpetrators of family violence. Lake, Kays, Obaid & Aossey (2009) reiterated that strategies of training the police, social service personnel, health personnel, parents and children was necessary in confronting domestic violence in society. Law enforcement officers need to identify children exposed to violence for referrals to mental health service providers for assistance (Bragg, 2003). Lake *et al* (2009) observed that states should revise family laws and also monitor court cases to enhance the criminal justice. In the security sector, police, military and peacekeeping personnel should practice zero-tolerance to gender-based violence. According to Emily, Roberts & Thomberry (2010), domestic violence legislation in courts has limitations hence unable to discharge the desired social justice in the community. The system of legal social control should not be retributive but restorative in that it should assist the people during trouble, repair damaged relationships through conciliation for peace and harmony (Deflem, 2019). The study sought to assess the effectiveness of the law enforcement personnel in combating domestic violence in families within states.

In Rwanda, the police have established gender desks at police stations under trained women to deal with sexual violence and GBV victims. This mandates the police to investigate cases of violence for prosecution (Kimani, 2012). Huseyn, Ekici & Inankul (2014) stated that efforts to combat domestic violence in Turkey faced serious challenges on ratification of international treaties and agreements on domestic violence awareness. Lake, *et al* (2009), pointed out that strategies of training the police, social service personnel, health personnel, parents, child development was necessary in preventing domestic violence in society. According to Herring (2001) traditional methods should be used as the last resort in combating domestic violence. Herring posits that the police should adopt social work, counselling and support victims of family violence. Anita (1998) pointed out that in-depth investigation by the police was necessary in establishing the nature and extent of domestic violence. Megan *et al.* (2007) observed that the Police Service has the mandate to protect and maintain law and order. The police were directly linked to the criminal justice system and the public on law enforcement (William & Joseph, 2002). The police are corrupt and hardly investigate domestic violent acts nor apprehend perpetrators for prosecution. Cook (2006) reiterated that the police should use computerized management information system (CMIS) to respond to crime. The family advocacy centres should alias with social agencies in communities on issues of family violence and abuse in households. According to Johnson (2008) most police services have no specific categories of femicide disaggregated data hence making investigation and research difficult to address the violence against women.

Muiruri (2013) pointed out that P3 forms were inaccessible during reporting and prosecution of perpetrators of gender violence and sexual offences (KGGVSOA, 2006) legislates on sexual violence against women. According to (Charlie & Minor, 1992; Murungi, 2012) domestic violence is challenged by cultural indifferences and barriers in the society. According to the police report, spousal violence against men and women increased from 1995 to 2001 whereby the rate of violence against men was lower than the rates against women. In 2001 there were 344 incidents for every 100,000 women aged 15 years to the older population compared with 62 incidents for every 100,000 men. The report further stipulated that physical violence was 72% on the female and 64% on male victims. The use of weapons was more common in male victims (21%) than the female 9%. The Kenya Police Crime Report (2010) showed that in 2009 assault was 12080 and indecent assault was 113 compared to 2010 of 11063 assault and indecent assault 109 respectively as criminal offences perpetrated against persons in Western Province of Kenya. The figures were not categorical on the magnitude of gender violence perpetrated and the gender. These violent crimes were accompanied with creating disturbances recorded as 1767 and 1609 in 2009 and 2010 respectively while affray statistics were 363 in 2009 and 376 in 2010. The background unearthed lapses in the police law enforcement strategies combating domestic violence the study sought to assess. Otieno (2007) reiterated that in 1993 crime in Canada decreased due to the impact of community policing. Community policing services work with groups of men, women of integrity and community members to combat violence in Canada. The groups review security situations, define geographical position of crime for administrative purposes. Otieno further stated that in Canada communities get 20% of personnel support from Royal Canadian police, while the community provides 80% mounted police information to fight crime.

Community policing was launched in Kenya in 2004 to control and reduce crime by collaborating with Kenya Police. Community policing was established as equal partnership between the police and the public for safety, resolve family disputes and implement protection orders. They enhanced education, capacity building and community mobilization in addressing crime. Conflict resolution mechanism enables the police to resolve disputes or conflict in communities under their jurisdiction. The conflict resolution mechanism enables the police to conduct collaborative conflict resolution techniques amongst conflicting groups. Secondly, they form the linkage between conflict resolution and government structures such as District Security Committees (DSC). Community policing work with



the police and the community in identifying security priorities needs. Caffrey & Mundy (1995) posits that the police interlink with community services including victim advocacy, conduct clinic for legal advice and counselling families. Caffrey and Mundy further stated that the Criminal Justice System (CJS) must coordinate with the police for prosecution and sentencing the perpetrators of family violence. Community policing being a new law enforcement strategy can act as a guiding principle in the prevention domestic violence in the community.

## 2.5 Implementation of Human Rights

IFRCRCs report of (2015) shows the government of Haiti ratified international human rights instruments on women's rights including CEDAW Convention Human of Rights for the purpose of ending household violence. Haiti's legal framework prohibits GBV crimes and guarantees the right to life, health and respect for all Haitian citizens. Coomaraswamy (2000) pointed out that Inter-American Court of Human Rights advocates for prevention human rights violations. According to United States Agents of International Development [UNSAID] (2012) promotion of human rights collaboration with non-governmental organizations, faith-based organizations, and government institutions increase prevention of GBV victims. United States also works with states, multilateral organizations, civil society and private sectors to remove barriers on discriminatory laws (UNSAID, 2012). UNIFEM (2003) emphasised advocacy and networking of law enforcers to prevent intimate partner violence. Megan *et al.* (2007) stressed the need for restorative justice when dealing with victims and perpetrators of family violence. Kenya Constitution (2010) fights gender violence through justice systems, integrated support services and public awareness programmes. The constitution legislates for elimination of gender discrimination for protection of citizens within the state. Kenya government gender violence and Sexual Offences Acts (KGGVSOA) (2006) addresses sexual violence against women in Kenya. According to KNGEC; crime against humanity should be managed through public education and coordination of multispectral responses. United States works with states multilateral organizations, civil society and the private sectors to break down barriers on discriminatory laws and policies against women and girls (*ibid*). Gaps identified on human rights, law enforcement, support of victims and perpetrators, criminalization of offender, use of multilateral organizations helped in discussing the findings of the study.

## 2.6 Cultural Practices

The cultural and social construction of men and women determine gender roles, responsibilities, relationship and socio-economic factors of individuals in the family. Poipoi (2011) observed that patriarchal family systems produce social structures of inequalities in which masculinity and cultural norms fasten violence. According to Herring (2001) the law subordinates women when reforming domestic violence campaigns in the community. Statistical report show in 2003-2308, 2004-2908, 2005-202 women and children were raped by male perpetrators in Kenya compared to 40% of all female homicide in United States. Each year women suffer dowry-related deaths or disfigurement by acids by rejected suitors in Bangladesh, Colombia, India Nigeria and Pakistan. According to feminist theories patriarchal arrangement of family's ideals of masculinity and a cultural acceptance of the use of force children and women offer a social environment for perpetration of family violence (Felser, 2014). Wahab & Odetokun (2014) observes that traditional conflict management should be community-based judicial resolving conflicts. The approach facilitates dialogue, traditional mediation in dealing with interpersonal or group conflicts. Coomaraswamy (2000) pointed out that community elders and religious leaders have the responsibility of preventing domestic violence in society. The religious leaders need to assess doctrines and cultural practices that subordinate women's rights. A study conducted by Wahab and Odetokun in 2014 at Ondo city in Nigeria show (93.26%) of the respondents agreed that domestic conflicts should be handled by elders or a third party. The approach of conflict management helps community elders to deal with domestic violence offences in the family. Indigenous conflict management strategy is effective, cheap and takes a short time compared to the Western criminal justice approach. The mediators use persuasive words, stories, and ancestral references to reconcile parties in conflict (*ibid*). Cultural practices and patriarchal family systems create a research gap filled by this study.

## 2.7 Rehabilitation of Victims and Perpetrators

According to Dorpat (2007), punishment was based on the assumption that deviance was an inherent human nature characteristic. Humane judges are usually reluctant to convict male offenders of sexual violence unless compelled by parties in conflict. At the same time prisons have challenges in rehabilitating incarcerated sexual violence inmates before they are released to the community (Zastrow & Browler, 1994). According to Zastrow & Browler (1994) victims of domestic violence need counselling to break the trauma. They recommend involvement of women in decision-making, designing and implementing policies on domestic violence to change attitudes. Psychosocial support and life skills programs for adolescent need promotion for healthy relationships in the family. Effective GBV interventions strategies should encompass local organizations, community leaders, government officials and non-governmental organizations (UNSAID, 2012). According to Borat & Leibbrandt (2001) education that can redeem poverty and improve earnings for economic growth hence help to reduce domestic violence in society. Megan *et al.* (2007) advocated for restorative justice in dealing with victims and perpetrators of domestic violence. The Constitution of Kenya (2010) empowers law enforcement institutions to fight domestic violence through GBV integrated support services and public awareness. Rehabilitation of victims and perpetrator of domestic violence remain a global human rights agenda that need redress. The courts have the right to justice and protection for every individual in society. Ineffectiveness in law-making leave innocent people unprotected. The study sought to assess rehabilitation strategy of victims and perpetrators of domestic violence in the study area.



## 2.8 Gender Mainstreaming Strategy

United Nations Development Fund for Women [UNDFW] (2003) observed that gender violence was rampant in many countries across the world. Statistically in United States intimate partners killings constitute 40 Percent of the female homicide in United Kingdom. Thousands of women suffer dowry-related deaths in Bangladesh, Colombia, India Nigeria and Pakistan women. Herslin (2005) stipulated that women lacked equal access to national decision-making. Statistics of women legislatures show Sweden has 43 Percent, Japan and Iran 1 Percent while Kuwait and United Emirates 11 Percent of the seats in parliament. Green (1999) observed that sexual relationship and patriarchy influenced family violence. According to radical feminists patriarchy indoctrinates males and females through socialization into gender roles. Rodriguez & Natukunda (2005) reiterated that gender was a social and cultural construction of female and male identities. Murungi (2012) observed that wife assault has been a focus of research and theory for over 20 years but tends to evolve over time in society. Mbiti (1969) alluded that culture was used as an excuse to perpetration of domestic violence against women. Dowry was paid in regarded to enslave women in accordance to cultural beliefs and practices. According to Murungi, rural women believed violence was a way of life hence persevere violent men in households. Violence against women remains a severe problem worldwide and prevalent in Kenya, data remain inadequate challenging campaigns and legislative reforms dealing with domestic violence (Beijing World Conference of Women, 1995). United Nations Development Fund for Women (UNIFEM) (2003) affirmed that gender violence is influenced by social structures surrounding males and females. Studies show a correlation of women education and their abilities to protect themselves against GBV.

UNIFEM further stipulated that women movement has developed concepts and definitions that violence originates from the society's structures of social and economic inequalities that discriminate women. In 1993 World Conference for Women's Human Rights (WCWHR) and Vienna Tribunal organized by United States-based Center for Women Global Leadership (CWGL) discussed patterns of violence against women survivors. The Conference report shows that mechanisms preventing violence against women were flawed by states including human rights organization that only intervene family violence escalates (Stockard & Johnson, 1992). Charlie & Minor (1992) showed that equality in public life can help to manage GBV. Kenya Demographic and Health Survey (KDHS) 2008 – 2009 show violence of any kind has a serious impact on the state economy. Kenyan Government sexual offense Act No. 3 of 2006 offers protection for victims and provides for prosecution of perpetrators of domestic violence. KDHS (2008-2009) survey report show that spousal violence decreases as the wealth quintile increases. 53% of the women in the lowest wealth quintile experience emotional, physical or sexual violence compared to 40% of the women in the highest wealth quintile. This implies that wealthy families have less domestic violence incidences compared to families in Kenya.

Hagedorn (1994) stated that women are primary providers of housework and care for the children in addition to labour force employment. Women who head single-parent families and support of parents can succeed if they have a better economic status. United Nations report shows that women do two thirds of the world's work but receive only 10% of all the income portraying high levels of economic discrimination. Lack of rights to property keeps women economically dependent on male spouses. Kenyan government need to ensure men and women have equal opportunities on income for the realization of gender rights. UNICEF (2007) show that women in politics have been effective advocates of children both at National and local levels, they also advocate for peace in post-conflict reconstruction. Records show that women's participation has remained unlimited at all levels of conflicts. Anekha (2011) stated that children exposed to domestic violence often exhibit behavioural problems such as aggression, depression, low levels of social competence and low self-esteem. Children victims who witness spousal assault are six times more likely to assault other children outside their family. Children from violent homes are 20 times more likely to commit suicide than children from non-violence.

## 2.9. Conceptual Framework

The study was informed by liberal peace theory advanced by philosophy Immanuel Kant (1795) and feminist theory by Mary Wollstonecraft (1559 – 1797) which was further advanced during the political movement of women in America against gender discrimination of the period between 1500 and 1700.

### 2.9.1 Liberal Peace Theory

Liberal peace theory was advanced by Immanuel Kant (1795) through his philosophy of perpetual peace between 1500 and 1700, the period of enlightenment or modernism. Is a classical liberal peace theory that posits that democracies are hesitant to engage in armed conflicts with other identifies democracies and also curb intra state conflicts among its citizens. According to Wiebrecht (2013) liberal states are founded on individual rights, legal equality of citizens, separation powers of the government, civil liberties and protection of state property. The theory was instrumental in reviewing literature and analysing primary data on state intervention strategies in the management of domestic violence in Vihiga County. According to Immanuel Kant perpetual peace can only be guaranteed by acceptance of peace within states (Wiebrecht, 2007). The proponents of liberal theory advocate for the real world ramification that engender political and moral harm by shifting democratic deliberations to actualize and legitimize large-scale violence. In this respect states are to yield to international peace and security to achieve liberal peace in resolving disputes. Wiebrecht (2007) reiterated that liberal peace should foster legal equality of citizens for restorative justice system among its citizens.

The proponent of the theory posits that states should redefine power relations between monarchy and parliament to enhance the principles rights of individual citizens. In this study the state intervention strategies managing domestic violence should have a well-defined and established justice system to enhance law enforcement through the judiciary, awareness of domestic violence laws, poli-

cies and regulations and protection orders in dealing with disputes among citizens. The key tenet of liberal democracies is to improve policies, policy-making processes that foster peace and tranquillity through political faculties of citizens and public deliberation on the ideals of the society. On justice system, states have adopted a well-defined judiciary system to identify the legitimacy of the law through ideologies of justice, fairness and recognition of power relations. The liberalists stress on a just law, neutrality, impartiality, objectivity and rigorous systems of conflict resolution. States have developed criminal law that helps to arbitrate among citizens in accordance to the rules of justice. According to interactive conflict resolution theory advanced by Jonathan Fisher, small group problem-solving are facilitated by impartial a third party in resolving conflicts (Fisher, 2005).

According to the theory intrapersonal conflicts within individuals can be resolved through face to face interaction. Interactive conflict resolution theory lays emphasis on use of workshops in resolving group conflicts mutually to reach an agreement. In this study the judicial system intervention strategies managing domestic violence, bring perpetrators to justice at the same time support victims of domestic violence in Vihiga County. According to Johan Galtung states should strive for negative peace and positive peace as the capacity to deal with conflicts non-violently and creatively through the justice system (Abu-Nimer, 2001). Galtung reiterated that states should limit reconciliation process to professionals as an official intervention strategy for arbitrating conflicts (Abu-Nimer, 2001). Schellengberg (1996) emphasized on a primary approach to conflict resolution to change individuals to a lesser aggressive behaviour. He advances that social approaches of resolution can develop new ways of handling conflicts to avoid unproductive confrontations between parties.

In democratic states every citizen or individual is equal before the law irrespective of class, race, gender or religion hence accounts for the legitimacy of the law in society. The third party (judiciary) designs the agenda for discussions between participants, the level of interaction and the interventions employed foster peace to individuals (Kelman & Fisher, 2016). Well integrated individuals, groups or communities are less likely to be rife with contradictions hence reduce destructive conflicts (Deutsch, Coleman & Marcus, 2006). The weakness of liberal peace theory is that it mainly advocates for formal legislation, mere adherent to the rules hence not effective in providing a peaceful conflict resolution strategies. The system of justice is rigid and does not allow for open dialogue during conflicts hence provides room for future conflicts. Intra-psycho conflicts, conflicts related to issues and feelings towards parties are not addressed. Conflict resolution requires a political space in which the actors address interests in mutual relationships control and eliminate violence. Durkheim (1938) posited that deviance can only be reduced if conflict groups individual are weakened or altering perpetrator's boundaries. The theory doesn't consider motivation issues that restrain individual's engagement in deviant social activities. The limitations of liberal peace theory made the researcher to factor in the feminist peace theory to address variables on domestic violence in Vihiga County. However the study sought to examine state intervention strategies dealing with the management of domestic violence in Vihiga County, Kenya.

## 2.9.2 Feminist Theory

The theoretical perspective of feminist theory mainly attributed to by Mary Wollstonecraft (1559 – 1797) emerged in the period between 1500 and 1700 further developed during the political movement of women in the first wave of the 1900 to the 1990s to the present. Feminist theory involves sociological and political theories on gender differences that lead to conflicts in the family. The fundamental goal was to understand women oppression, racial discrimination, gender, class, sexual preference in relation to gender equality between men and women in society. According to feminists theory domestic violence is perpetrated by males against females in households. There is gross violation of women's legal rights, rights to bodily integrity and autonomy, abortion rights, reproduction rights and girls including domestic violence, sexual harassment, rape and discrimination. The theory tries to address patriarchal domination of females by male counterparts. There is advancement for women rights, complete eradication of exploitation and oppression of females in states, families and intimate relationships. The proponents propound that women face rape, sexual assault, female infanticide and dowry related cruelty and domestic violence in their daily life. The theory looks at domestic violence as a patriarchal practice, violation of the rights of women and unequal power relationships between men and women. Feminist theorists equate domestic violence to wife beating, women battery, or women abuse, family violence, spouse abuse, marital violence and conjectural violence linked to patriarchal structure of male domination over females.

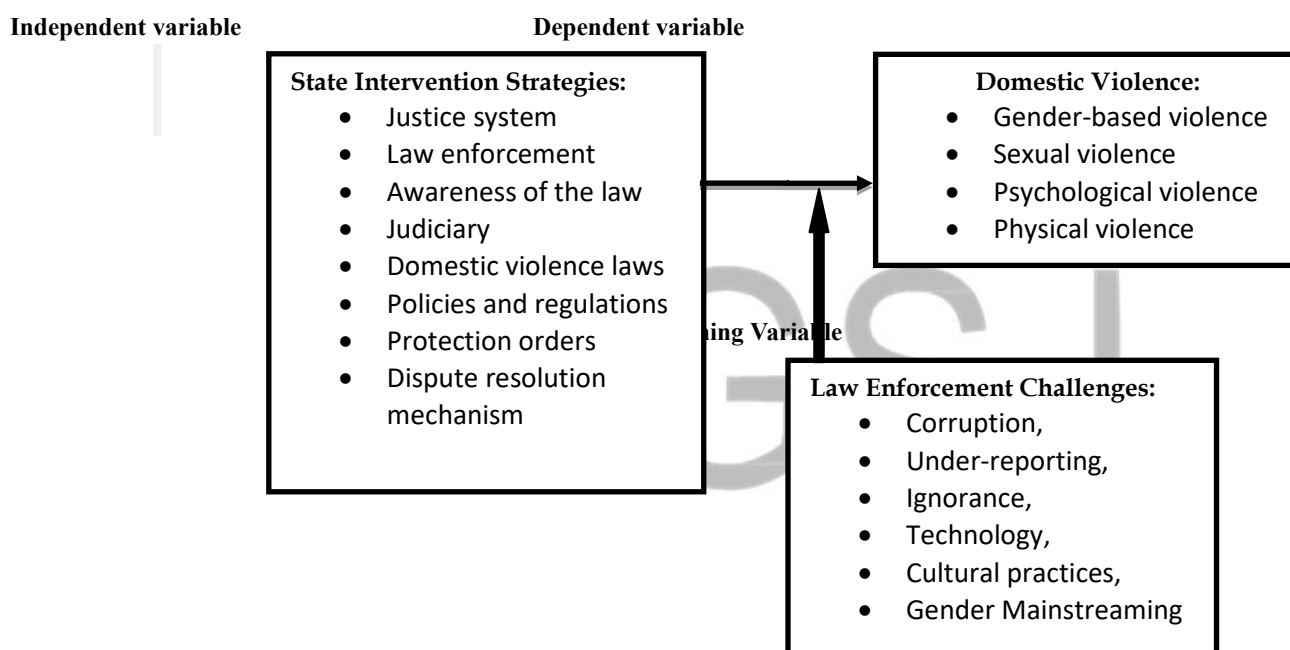
According to feminist's domestic violence, rape and sexual harassment are parts of systematic oppression of women. Systematic and structural mechanism of patriarchal control of women is built on male superiority, female inferiority, sex stereo-typed roles and expectations, social, economic and political predominance of men. According to the feminist's; economic dependency of women on men contributes male power domination in the family. As applied in this study the theory holds that gross violation of the rights of women and patriarchy influences domestic violence (independent variable) that comprise gender-based violence, sexual violence, psychological violence and physical violence the study examined. Jackson (2007) women experienced sexual assault, staking, rape, and domestic violence. In this aspect males are branded as perpetrator of which the victims are females in households (Jackson, 2007). The theory alienates the fact that women are also perpetrators and victims of domestic violence as well. Men equally suffer domestic violence atrocities this study tried to fill.

Other theories that helped to fill this study was the attachment theory propounds that perpetrators of domestic violence with negative experience in the family of origin perpetrate intimate violence hence the need to reappraise batterers functionality to regulate the attachment distress (Jackson, 2007). The study also looks at nested ecological theory intra-psycho features of violent offenders. Nested ecological theory helps to explain the rates of violence in a targeted population, an individual, and groups with similar qualities. The theory postulates that wife beating lies in subordination of females and their subjection to male authority and control. It also posits that the ideology of patriarchy holds that male supremacy is natural and enshrined in the legal and religious dogma (Guttmann, 2006). Nested

ecological theory tries to explain how macro system such as unemployment, socio-cultural, absence of social support, peer groups, stress, low self-esteem, aggression factors contribute to domestic violence in families. The theory also advances that micro-level expression of a dominant social structure and ideology based on male hierarchical ordering of society. According to Gutton (2006), men who had seen parents physically attack each other were three times likely to hit their own wives than those who never experienced such an offence. The cycle of violence theory holds that violent behaviour is learnt within the family and bequeathed from one generation to the next. The theory posits that children raised in violent family are likely to become an abuser as an adult (Gutton, 2006). Albert Bandura (1973) in his social learning theory posited that integrated cycle of violence was an adopted learned behaviour by abusive adults during early childhood. It's on the ground of this theories the literature was reviewed, data was collected, analyzed and findings documented.

### 2.9.3 Conceptual Model

The model focused on state intervention strategies in the management of domestic violence focusing on justice system, law enforcement, awareness, judiciary, domestic violence laws, policies and regulations, protection orders, and dispute resolution mechanisms by the law enforcement personnel. Domestic violence comprises gender-based violence, sexual violence, psychological violence and physical violence crimes perpetrated against family household members. The model presents corruption, under-reporting, ignorance of the law, technology, cultural practices and gender mainstreaming significantly influenced state intervention strategies and domestic violence as challenges on the management of domestic violence in Vihiga County of Kenya as gaped by findings of the study.



**Figure 2.1 Conceptual Model showing Interaction of Variables**  
**Source: Researcher (2015).**

## 3.0. RESEARCH METHODOLOGY

Research design involves processes of arriving at effective solutions to problems through systematic collections, analysis and interpretation of data (Mugenda & Mugenda, 2003). According to Amin (2005) a research design is the overall plan which the study will follow. It involves a series of advanced decisions under-taken by the researcher in making up a master plan or model for systematically and scientifically obtaining the data to be analysed. The researcher used descriptive design that employed both qualitative and quantitative methods in data analysis and presentation of the findings. The descriptive research design was instrumental in guiding the study in data collection through questionnaires, interview schedules and Focus Group Discussions as per the study objectives.

### 3.1 The Study Area

The study was conducted in Vihiga County that borders Nandi County to the East, Kakamega to the North, Siaya to the West and Kisumu to the South. Vihiga County has its Headquarters at Mbale Town served by Luanda, Maseno, Chavakali, Mudete, Majengo, Serem, Jeptulu, Jebrok and Kilingili urban centers with an urbanization rate of 31% of the population (Howtodoit, 2017). Vihiga County comprise of five Sub-Counties with a population distribution as follows Luanda (95923), Emuhaya (89147), Hamisi (148259), Sabatia (129678) and Vihiga (91616) total 554622 with an area of 531.0 Km<sup>2</sup> illustrated in Table 3.1. It is located in Western Region of Kenya within the Lake Victoria Basin with an altitude ranging between 1,300 m and 1,800m above sea level. The County is covered with

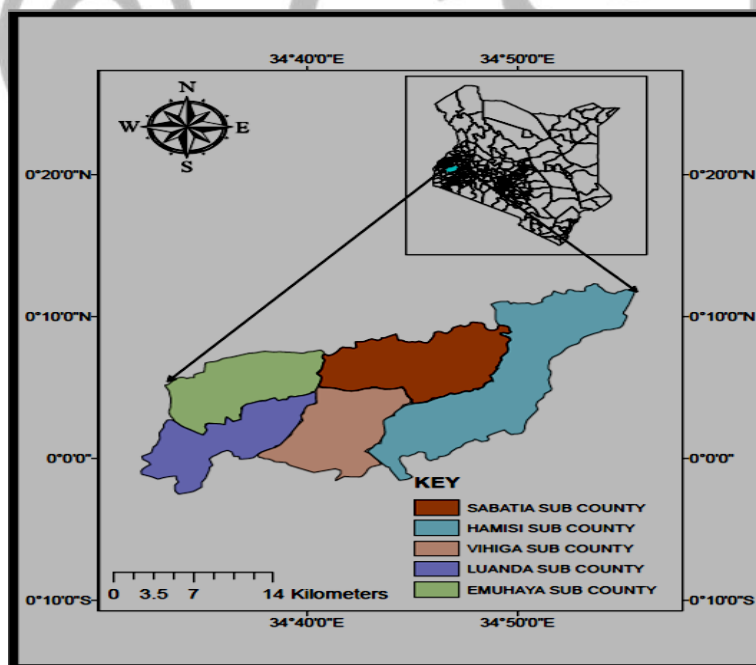
undulating hills and valleys, streams flowing from northeast to southwest draining into Lake Victoria (Vihiga County Strategic Plan 2013-2017). The general population comprised of 554622 (262,716 males and 291,906 females) (KNBS, 2009) with a National Census density of 1051 persons per Km<sup>2</sup> of with a poverty index of 65% and a dependency ratio of 100:90. The County is inhabited by three main Luhya sub-tribes namely Abanyole of Luanda and Emuhaya Sub-Counties, Omulogoli of Sabatia and Vihiga Sub-Counties with Tiriki making up Tiriki Sub-County (Vihiga County Strategic Plan 2013-2017).

According to KNBS (2014), Vihiga County has 125945 household heads of which 49000 (40.4%) are female-headed, 600 are youth headed majorly dependant on subsistence farming and micro-finance business holdings for a livelihood. KNBS statistics show the age distribution stood at 01-14 years (45%), 15 – 64 years (49%) and above 65 years (6%) with the youths representing 25% of the population. The main resources are forests, rivers, stone quarry, and hills for a tourist attraction with agriculture in tea farming on small-holdings, small-scale crop and livestock farming as the main economic activities among households (Howtodoit, 2017).The researcher used a map of Kenya to justify the location of Vihiga County comprising Sabatia, Vihiga, Luanda and Hamisi Sub counties illustrated in figure 3.1.

**Table 3.1 Population Distribution, Administrative Units, Household and Area in Km<sup>2</sup> of Sub-counties of Vihiga County**

Sub-county	No of sub-location	Population	Households	Area in Km <sup>2</sup>
Hamisi	28	148259	32461	156.4
Emuhaya	25	89147	22030	94.5
Luanda	29	95923	23233	85
Vihiga	18	91616	20479	90.2
Sabatia	31	129678	27742	110.9
Total	131	554622	125945	531

Source: KNBS (2014)



**Figure 3.1. Location of Vihiga County in Kenya**

Source: GIS, Expert 2018.

### 3.2 Study Population

A study population refers to a group of people, events or things of interest that the researcher wishes to investigate (Sekaran, 2003). In order to gather the required data to respond to the three research objectives, the researcher sampled 462 respondents. They comprised 384 household heads, 50 Assistant Chiefs, 4 Court officers, 20 Police Officers and 4 Children Protection Officers. According to Mugenda & Mugenda (2003), a target population helps the researcher collect the requisite data for generalization of the results of the study.

### 3.3 Sampling Techniques and Sample Size

The target population was 125945 Household heads, 115 Assistant Chiefs, 41 Court Officers, 208 Policemen and 4 Children Protection Officers (KNBS Department: Vihiga County, 2014) giving a total population of 124080 people. Sample is illustrated in table 3.2.

#### 3.3.1. Household Heads.

The researcher applied Kathuri and Pals (1993) random sample formula on 125945 household heads to sample 384 household heads for the study. Kathuri and Pal's was useful in determining a sample of a randomly chosen sample from a given finite population of  $N$  cases such that the sample proportion should be within plus or minus 0.05 of the proportion with 95% level of confidence (Mugenda & Mugenda, 2003). The sample size of 384 was distributed evenly distributed to the five sub-counties of Vihiga, Luanda, Hamisi, Sabatia and Emuhaya. The Household heads were chosen to respond to the nature and extent of domestic and state intervention strategies managing domestic violence in Vihiga County, Kenya. Household individuals are at the epicentre of domestic violence incidences, experience and resolve the violence directly and forward also forward to the law enforcement agencies for further management.

#### 3.3.2. Assistant Chiefs

The researcher applied purposive sampling on 131 Assistant Chiefs (Vihiga County Strategic Plan, 2013 – 2017) to select a sample size of 50 Assistant Chiefs of which 10 were distributed equally to five sub-counties (Hamisi, Sabatia, Vihiga, Emuhaya and Luanda) of Vihiga County. According to Sekaran (2003), purposive sampling involves specific types of people who can provide the desired information because of expertise or conform to some criteria set by the researcher. The Assistant Chiefs were chosen because they are charged with implementing the legal framework at the community level. As security personnel they are good position of providing information domestic violence perpetration and victims, law enforcement and challenges encountered on legislation domestic violence laws in Vihiga County.

#### 3.3.3. Court Officers

The researcher used judgmental sampling strategy on a target population of 41 Court Officers to select 4 respondents from Vihiga and Hamisi Law courts of which 2 were distributed to each court. Vihiga County has two strategic courts one at Vihiga and the other at Hamisi for purposes of managing and enforcing criminal justice to the communities in the region. They were sampled to participate in the study because they have knowledge on sexual offences Acts 2006, 2001 Children Act, chapter of the Bill of Rights (Constitution of Kenya, 2010), domestic violence laws and protocols, Human Rights Accord (UN) and handling domestic violence legislation. The courts have the mandate to treat both civil and criminal matters that involve parental responsibility, custody and maintenance, guardianship for protection of children. According to Vihiga County Strategic Plan (2018-2022), a cardinal principle of governance is the protection and promotion of the rights of individual citizens under the constitution by all the organs of government. The court officers are trained on dynamics of domestic violence, specific types of abuses, gender and power relations, analysis of relevant laws, legal procedures and services available to victims and strategies for supporting both the victim and the abuser (Coomaraswamy, 2000). The group was involved in collection of data on the nature and extent of domestic violence, state intervention strategies and challenges encountered by the government in dealing with domestic violence in Vihiga County, Kenya.

#### 3.3.4. Police Officers

The same judgemental strategy was applied on 208 Police Officers (Vihiga County Police Commander, 2015) to sample 20 officers of which 4 were distributed to each of the 5 Sub-Counties (Luanda, Vihiga, Sabatia, Hamisi, Emuhaya) of Vihiga. Judgmental sampling involves the choosing subjects of the target population that are of advantage in providing the required information to be generalized in the study (Sekaran, 2003). The police officers receive reports from the victims of domestic violence; prepare P3 forms to arrest perpetrators, present offenders for prosecution in courts, are mandated to provide protection orders to families and victims in households. It is on this strength the researcher involved them to participate in this study. The Police Officers were sampled because of their expertise and capacity in enforcing domestic violence laws in Vihiga County and the state of Kenya as a whole. The police are also linked to community based - policing department aimed at law enforcement at community level and civil society to find solutions to community security concern (Vihiga County Strategic Plan, 2018-2022).

#### 3.3.5. Children Protection Officer

From a population of 4 Children Protection Officer (Vihiga County Children Officer, 2015) all the 4 officers were purposively selected to participate in the study. The respondents were selected because have expertise in dealing with violence against children and law enforcement in Vihiga County. This sample of 4 informants was evenly distributed to Sabatia, Emuhaya, Luanda and Vihiga sub-counties with 1 informant each. Kenyan Constitution (2010) empowers the law enforcement organs to offer protection to children against crime and violation of human rights. Children live in households where parents, siblings, house helps and relatives are involved in cycles of violence. The perpetrators project their anger to even innocent children hence needs protection. The children protection officers are strategically placed in each sub-county to receive reports of family violence against children, investigate and forward perpetrators for prosecution.

The findings revealed the children protection officers as service providers are unaware or unable to follow guidelines and protocols when handling victims. Poor infrastructure, lack of training and budgetary allocation for the management of domestic violence is the cause for persistent child abuse. The officers are understaffed hence ineffective in discharging protection orders on children. All officers are expected to be thoroughly familiar with the contents domestic laws, statutes, protocols and guidelines construed by case laws,

and to act with appropriate discretion and competence in carrying out these provisions (Barker, Polito & Bennett, 2017). It was on this strength they were selected to provide data and information to fill the gap on domestic violence perpetration and state intervention. Table 3.2 show the sampling matrix of the study population and sample size.

**Table 3.2 Sampling Matrix of the Study Population and Sample Size**

Category	Study Population	Sampling	Sampling Technique	Sample Size
Household heads	125945	Probability	Random Sampling	384
Assistant Chiefs	115	Non-probability	Purposive Sampling	50
Court Officers	41	Non-probability	Judgmental Sampling	4
Children Protection Officers	4	Non-probability	Purposive Sampling	4
Police Officers	208	Non-probability	Judgmental Sampling	20
<b>TOTAL</b>	<b>126,313</b>			<b>462</b>

**Source: Researcher (2015)**

### 3.4 Summary of Respondents in Vihiga County

Table 3.3 on the summary of participants show Emuhaya had 73 out of 400 (18.25%), Luanda had 74 out of 400 (18.50%), Sabatia had 84 out of 400 (21%), Vihiga had 85 out of 400 (21.25%) while Hamisi had 84 out of 400 (21%) giving a total of 400 of those who returned the research instruments for analysis and documentation into the study. According to the findings, there was equitable distribution and response (18.25% and 21%) on the research instruments of the study in all the Sub- Counties of Vihiga County. This is backed up by Amin (2005) who reiterated that a sample should be a representation of the population with most characteristics presented in the sample so as to realize the objective of the study. The findings show equal distribution of respondents in the five sub counties of Vihiga helped to generate balanced information for documentation. The figures include household heads, Assistant Chiefs, Children Protection Officers, Court Officers and Police Officers who participated in the study. The sample should help the researcher draw conclusions that would be generalized to the population of interest (ibid). According to Amin, the researcher must determine a sample that will provide sufficient data to answer the reach problem and generalization of the findings to the entire population (Amin, 2005). The respondent's data adequately helped to evaluate state intervention strategies in the management of domestic violence in Vihiga County, Kenya.

**Table 3.3 Summary of Respondents in Vihiga County**

Sub Counties of respondents	Household Heads	Assistant Chiefs	Police Officers	Court Officers	Children Protection Officers	Total
Emuhaya	66	6	0	0	1	73 18.25%
Luanda	62	8	3	0	1	74 18.50%
Vihiga	70	8	4	2	1	85 21.25%
Sabatia	68	9	0	0	1	84 21%
Hamisi	72	10	6	2	0	84 21%
<b>Total</b>	<b>338 84.50%</b>	<b>41 10.25%</b>	<b>13 3.25%</b>	<b>4 1%</b>	<b>4 1%</b>	<b>400 100%</b>

**Source: (Field Data, 2017)**

### 3.5 Data Collection

The study used secondary and primary data. The secondary data was derived from libraries, court archives, Internet sources, Scholarly Journals, Books, Research Articles and Print media for checking knowledge gaps and interaction with primary data on the nature and extent of domestic violence, state intervention strategies and challenges encountered in managing domestic violence in Vihiga County collected from the field through questionnaires, interviews and FGDs. The primary data tools were effective, cheap and reliable in gathering raw data from a large group within a short time (Mugenda & Mugenda, 2003). Open-ended structured interview schedules were used to collect data on state intervention strategies dealing with domestic violence in Vihiga County. 384 Household Heads, 50 Assistant Chiefs, 4 Children Protection Officers, 4 Court Officers, 20 Police Officers and 2 FGDs of 10 members of mixed gender in Emuhaya and Vihiga sub counties of Vihiga County. The instruments were evenly distributed to respondents in relation to Gender.

A 5-point Likert scale questionnaire on the nature and extent of domestic violence and state intervention strategies in managing domestic violence were equally administered to 384 household heads on the basis of gender equity. The 5-point Likert scale questionnaire ranged from strongly agree (SA) = 5 as the highest and strongly disagree (SD) = 1 as the lowest score. The instrument had 3 sections; Section A: Socio-demographic information with 5 items, Section B: the nature and extent of domestic violence with 18 items, Section C: State intervention strategies dealing with domestic violence in Vihiga County with 33 items.

Face to face structured interview guides were employed to generate data from 4 Court Officers, 50 Assistant Chiefs, 20 Police Officers and 4 Children Protection Officers to provide requisite information on, domestic violence, intervention strategies used in dealing with domestic violence and law enforcement challenges in Vihiga County. Mugenda & Mugenda (2003) observed that interviews provide in-depth data required for the study compared to the questionnaires. The structured interview guide had Section A: Socio-demographic information (6 items), Section B: had (25 items)

Focus Group Discussion (FGD) is a research methodology in which a small group of between six to twelve participants gather to discuss a specific topic to generate data (Muoka, 2015). The aim was to give the researcher an understanding on participants' perspective on the topic under inquiry. The participants were involved in plenary discussions on issues emerging from the topic as the researcher interrogated the participant, summarized and documented the information under study. The researcher held two Focus Group Discussions, one in Vihiga and the other in Luanda Sub Counties of Vihiga County. The first was attended by 10 participants from households, community, law enforcement institutions and religious institutions in Luanda. The second was attended by 6 assistant chiefs drawn from six (6) sub-locations, three (3) community elders and one (1) Social worker in Vihiga Sub County. The participants were aged between 20 to 50 years of age who were subjected to research instrument in Appendix C on the nature and extent of domestic violence, State intervention strategies and challenges encountered in dealing with domestic violence in Vihiga County. According to Serakan (2003) FGD members must be chosen in accordance to their expertise on the topic of discussion to generate information for the study.

### 3.6. Validity and Reliability of Research Instruments

Validity refers to the accuracy and meaningfulness of inferences based on research results According to McBurney & White (2010) validity is an indication of accuracy or the extent to which a research conclusion correspond with reality. In this case the analyzed data should represent the actual phenomenon or variables of the study (state intervention strategies in the management of domestic violence) for accuracy and meaningful inferences. The researcher adapted construct validity for the accuracy and meaningfulness of theoretical concepts in line with the study objectives and the conceptual framework. Content validity was employed to measure the degree of the data collected by the questionnaires, FGDs and the interview guide for coherence and accuracy before documenting into the report (Mugenda & Mugenda, 2003). To improve the validity of the instruments; the researcher sought the expertise of professionals, supervisors from Masinde Muliro University of Science Technology School of Graduate Studies to verify the data collection tools. My supervisors in department of Peace and Conflict Studies were very handy in validating the research instruments before being used for data collection.

Internal validity was used to control extraneous variables to avoid falsifying the results. External validity was used to control representative sample of the target population for generalization of the results (Mugenda & Mugenda, 2003, McBurney & White, 2010; Wilson & Maclean, 2011). A Closed-ended 5 point Likert scale questionnaires were validated for internal consistency. According to Mugenda & Mugenda (2003), instruments are considered to be acceptable and reliable if  $\alpha \geq 0.8$  hence  $\alpha \geq 0.79$  was good and reliable for the study. External and construct validity was used to generate correct and accurate results from reviewed literature, collected data for analysis and generalization of the findings to the study population in Vihiga County. Statistical validity was useful in validating questionnaires, FGDs, and interview guide during data analysis for accuracy (McBurney & White, 2010). The Cronbach's alpha coefficient for internal consistency of the research instruments was validated at  $\alpha = 0.79$ . According to Wilson & Maclean (2011) Cronbach's alpha is good for calculating the degree of association in individual items to increase validity of the research instrument to achievement the objectives of the study.

### 3.7. Data Analysis and Presentation

The researcher employed both quantitative and qualitative techniques in analysing data and presentation of the results. Quantitative data was collected by the 5 point Likert scale questionnaires which were cross-checked for missing items, corrected and assigned to Statistical Package of Social Sciences (SPSS) then analyzed into descriptive statistics, frequency tables, bar graph, pie charts and percentages to generate the findings of the study. According to Oso & Onen (2008) the method draws statistical conclusions for the ex-



pected results of the study. SPSS was used to analyze biographical data (residence, gender, marital status, age and level of education) presented into descriptive statistical, frequency tables, pie charts and bar graphs. Cronbach's alpha ( $\alpha$ ) for literal validity and reliability the Likert Scale questionnaires was validated at  $\alpha = 0.79$  for instruments reliability acceptable for this study. Qualitative data from literature review, open-ended questionnaires, FGDs and interview schedules were thematically analysed by sorting them into common themes, coding and then documented in the report.

### 3.8. Limitations of the Study

The limitation of the study was its sensitivity to the respondents who provided data on the on state intervention strategies managing domestic violence in Vihiga County, Kenya. This was overcome by the researcher acquiring authority from relevant administrative institutions, upholding to confidentiality, integrity and protection of informants. The collected data was confined to the researcher and only used to make the report but availed to the public domain in accordance to research ethics. The researcher will maintain the informed consent of the respondents for a period of 3 years after the completion of the study (Bhattacharjee, 2012). According to Mugenda & Mugenda (2003), respondents should be protected by keeping their information confidential, protected from misconceptions during and after data analysis. The researcher sought the approval of Vihiga County Commissioner, the 5 Sub-County Commissioners of Vihiga County, Vihiga County Police Commander and Vihiga Children Protection Officer before collecting data.

Limitations of the study were addressed by paraphrasing and restructuring interview guides for clarity on constructs in order to acquire requisite information from informants. Early booking of respondents was organised by the researcher to avoid delay of face to face interviews. Straightforward questionnaires were employed to avoid stereotyping, avoid confusion and repetition of data. The researcher prepared additional 50 questionnaires targeting 10 respondents from each sub-county to compensate those spoiled and unreturned.

### 3.9 Ethical Considerations

The ethical issues considered in this study were the privacy and confidentiality of the respondent's information on the key variable on the nature and extent of domestic violence perpetrated against individuals in households and state intervention strategies managing domestic violence enforcement in Vihiga County. Since the study was dealing with individual in intimate relationship it could be dangerous to leak the information that would spark violence in families. The researcher sought the informed consent of the informants and promised to maintain privacy and confidentiality of the data collected. The nature of the information being sensitive it was treated in accordance to research laws and regulations to avoid discrepancies. Obtaining the required sample for the study from the law enforcement institution required prior arrangement with officers in order to derive the required data to avoid misconceptions. However the respondents were given freedom to respond to questions at their freewill without coercion. Unanswered questions from the investigation instrument were filled by other randomly sampled respondents in the same category to fulfil the objectives of the study. The researcher adhered to concept of anonymity by having the participants to remain anonymous by protecting their integrity and identities during the study. The researcher acquired research approval authority and permit from National Commission of Science Technology and Innovation (NACOSTI) of Kenya, Vihiga County Commissioner, the 5 Sub-County Commissioners, Vihiga County Police Commander and Vihiga Children Officer for authority to involve Court Officers, Assistant Chiefs, Police Officers, Children Protection Officers and household heads for the study. The primary and secondary data was acknowledged and kept confidential from the public domain in accordance to research ethical policy framework.

## 4.0 PRESENTATION AND DISCUSSION OF FINDINGS ON STATE INTERVENTION STRATEGIES DEALING WITH DOMESTIC VIOLENCE IN VIHIGA COUNTY, KENYA

### 4.1. Socio-demographic Information of Respondents

The socio-demographic information of 338 Household heads, 41 Assistant Chiefs, 4 Court Officers, 13 Police Officer and 4 Children Protection Officers totalling to a sample size of 400 which was categorized as the name of Sub-County, gender, marital status, age, the level of academic qualifications and Religion. The data of 400 respondents (Household heads, Children Protection Officers, Court Officers, Police Officer, Assistant Chiefs) issued with questionnaires and interviewed 400 (86.58%) responded to the research instruments that was analyzed and documented. Three hundred and thirty eight 338 out of 384 (88%) Household heads, 4 out of 4 (100%) Children Protection Officers, 4 out of 4 (100%) Court Officers and 13 out of 20 (65%) Police Officer and 41 out 50 (82%) were Assistant Chiefs. The data shows that the study sample was balanced hence adequate for the research findings of the study report. According to Mugenda & Mugenda (2003), a study sample of 80% is appropriate and recommended for analysing the collected data by the research instruments. In this respect, all the acquired sample of 400 out of 462 qualified the data for analysis and documentation of the study on state intervention strategies in the management of domestic violence in Vihiga County, Kenya.

#### 4.1.1. Gender of Respondents

Of the 400 respondents who participated in the study, there were 215 out of 400 (53.75%) males and 185 out of 400 (46.25%) females as indicated in table 4.1. In the category of household heads we had 172 out of 338 (50.89%) male and 166 out of 338 (49.11%) were female respondents. The overall sample was 338 out of 400 (84.5%) of the study participants. The analysed data findings show equitable distribution of household head questionnaire in relation to gender category in the study. The findings on Assistant Chiefs showed 34 out of 41 (82.93%) male and 7 out of 41 (17.03%) female participated in the study. The findings show 34 out of 41 (89%) male respondents was higher than the female assistant chiefs. The reason rational behind is that the state had previously discriminated fe-

male gender employed in this category. Female data was 7 out of 41 (17.03%) reflecting fewer women employed as assistant chiefs in Vihiga County compared to male counterparts. The job is male-dominated due to gender stereotypes that it was intended for men and not women. The government had challenges in employing female as assistant chiefs until the ratification of the gender rule of the Constitution of Kenya 2010.

The results of Police Officers were tabulated as 6 out of 13 (46.15%) male while 7 out of 13 (56.85%) female giving gender balance distribution. The total sample interviewed were 13 out of 20 (65%) appropriate for the study. The results had a good distribution for prudent generation of data on law enforcement that helped the researcher fill the study gaps on the constructs of investigation. 7 out of 20 respondents never returned the questionnaires for analysis and documentation. The frequencies indicate equal distribution of research instruments to respondents of either gender to avoid falsification of the study findings. The police were sampled as the most appropriate because they collaborate with social workers, probation officers, medical practitioners, children officers or other appropriate person or authority in investigating offenses of domestic violence and forward findings directly to the court for adjudication (National Council for Law Reporting, 2015).

The Court officers had 2 out of 4 (50%) male and 2 out of 4 (50%) female targeted respondents. The findings show the researcher achieved the objective on gender balance and met the targeted sample of 4 respondents from Hamisi and Vihiga County Courts amounting 100% hence highly recommended for the study. The Court officers were sampled to collect data on state intervention strategies on domestic violence in Vihiga County. The results were balanced on gender lines of 50% male and 50% female officers hence the data collected was not bias. The court officers were sampled because the act of Parliament empowers them to provide protection and relief for victims of domestic violence which include spouse and children or other dependent persons and prosecution of the perpetrators (Kenya National Council of Law Reporting, 2015).

Children Protection Officers results show 1 out of 4 (25%) male and 3 out of 4 (75%) were female who participated in the study hence accepted by the researcher. The children protection officers' distribution was adequate for collection of data on the nature and extent of domestic violence against children and state intervention strategies in managing domestic violence against children in the study area. The data is illustrated in table 4.1. According to Kaye (2006) gender is a social construction of power between men and women in relation to identity, values, roles and responsibilities. Children protection officers have power and functions for the protection of children under an Act of parliament in Kenya (ibid). Philomena (2009) relates gender violence to crimes committed against women by male perpetrators while IASC (2006) refers gender to social differences between females and males through life cycles that are learnt and changeable in varied culture in society.

**Table 4.1 Frequency Distribution on Gender of Respondents**

Gender of Respondents	Household heads	A/chief	Police Officers	Court Officers	Children Protection Officers	Total
Male	172 50.89%	34 82.93%	6 46.15%	2 50%	1 25%	215 53.75%
Female	166 49.11%	7 17.03%	7 53.85%	2 50%	3 75%	185 46.25%
Total	338 100%	41 100%	13 100%	4 100%	4 100%	400 100%

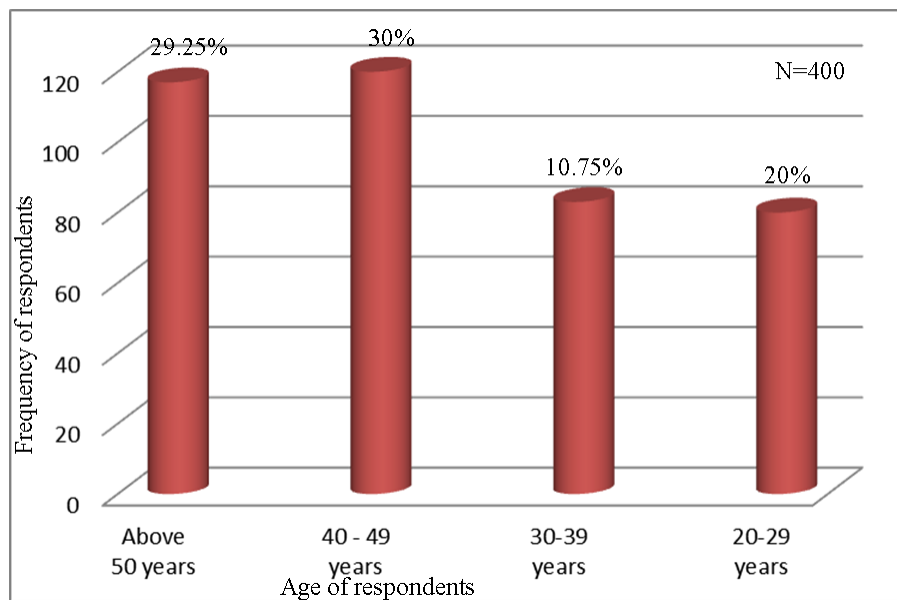
**Source: (Field Data, 2017)**

#### 4.1.2 Age of Respondents

According to the distribution of frequencies on the age of 400 respondents figure 4.1 results show 20-29 years were 80 out of 400 (20%), 30-39 years were 83 out of 400 (20.75%) were, 40-49 years were 120 out of 400 (30%) and above 50 years were 117 out of 400 (29.25%). The 400 out of 462 (86%) respondents completed and returned the questionnaires for analysis. According to the finding youths of both gender in the category of 20-29 years was 80 out of 400 (20%) of the four categories sampled for data collection. 20 %

response was a significant distribution on average 25% of the expected scope hence recommended for the study. Those between 30-39 years were 83 out of 400 (20.75%) for both male and female met required balanced for collection of primary data of the study. 40-49 years were 120 out of 400 (30%) made the majority sample. This group was highly considered to be of convenience on constructs of the nature, extent and intervention strategies currently managing domestic violence in Vihiga County, Kenya.

The frequencies of respondents aged 50 years and above were 117 out of 400 (29.25%) whom the researchers targeted for requisite data to meet the requirements of the study findings. The frequency was above 25% of the standard set for each category of the construct as per the requirement of the study. The study concluded with 400 (100%) respondents completing data collection instruments for analysis on state intervention strategies in the management of domestic violence in Vihiga County, Kenya. According to Sekaran (2003) a reliable and valid sample should enable the researcher to generalize the findings from the sample to the population under investigation. The sampled statistics should be reliable estimates that reflect the population parameters closely within the narrow margin error. According to the findings the researcher achieved his objective by involving respondents of the required age categories for primary data collection, analysis and preparation of the report.



**Figure 4.1 Frequency Distribution of Age of the Respondents**  
Source: (Field, 2017)

#### 4.1.3 Religion of the Respondents

Table 4.2 on the religion of respondents show Christian comprised 368 out of 400 (92%); Muslims were 22 out of 400 (5.5%) while other religions were 10 (2.5%). All these distributions illustrated that 400 out of 462 (86.58%) respondents represented their religious groups within the area of study. The religious leaders have the responsibility to examine religious doctrines and cultural practices that undermine religious beliefs, the rights of their congregations. Religious groups manifest the doctrine of gender equality, love and peace as part of the values or virtues among their adherents. This filled the gap that religion plays an integral part on domestic law enforcement in Vihiga County and the state in general. A study by FIDA show that domestic violence occurred in all cultures, races, religions and classes in which both men and women were perpetrators and victims of domestic violence in society.

**Table 4.2 Frequency Distribution on Religion of Respondents**

Religion	Household Heads	A/chief	Police Officers	Court Of-fices	Children Protection Officers	Total
Christians	306	41	13	4	4	368 (92%)
Muslims	22	0	0	0	22	22 (5.5%)
Other religions	10	0	0	0	10	10 (2.5%)
Total	338	41	13	4	36	400 (100%)

Source: (Field data, 2017)

#### 4.1.4 Respondents Level of Education

According to the analysis on the respondents highest level of academic qualification 85 out of 400 (21.25%) were degree holders, 130 out of 400 (33.25%) had diploma while 182 out of 400 (45.50%) were certificate holders. The distribution was illustrated in Table 4.3 below. The analysis show the researcher fairly distributed the research instruments to all the respondents in regard to their level of education. This significantly contributed to the authenticity of the results of the study. The researcher considered this category of respondents because of their ability to provide the required information on key constructs of the study. The respondents had significance to this study because their level of education was treated vital in providing information on both state intervention strategies managing domestic violence, the nature and extent of domestic violence in Vihiga County. Since this was a sensitive problem of inquiry the respondents need requisite educational and conventional skills to prudently respond to data collection instruments administered by the researcher.

Schmallegger (2004) pointed out that the effects of family divorce ruin the educational levels of children and the socio-economic status of households. The children of divorced parents live in depression and frustration leading to criminal activities such as juvenile delinquency, rape, early marriage, child labour, murder, incest, assault within the community. UNICEF (2006) recommended that education and socioeconomic status of households be prioritized in order to reduce household violence. UNIFEM (2003) recommended that Kenya government should introduce new legislation on domestic violence and GBV in dealing with gender equality and inclusion in Kenya. According to Owolabi (2006), poorly educated societies have numerous criminal activities and violation of human rights. Herslin (2002) impressed education as the main approved way of reaching the desired goals of an individual in the society and confrontation of household conflicts.

**Table 4.3 Respondents Level of Education**

Education level of Respondents	Household Heads	A/chief	Police Officers	Court Officers	Children Protection Officers	Total
Degree	77	4	0	4	0	85 (21.25%)
Diploma	113	10	8	0	2	133 (33.25%)
Certificate	148	27	5	0	2	182 (45.50%)
Total	338	41	13	4	4	400 (100%)

**Source: (Field Data, 2017).**

#### 4.2.1 Legal Justice Strategies Guidelines on Domestic Violence

The researcher asked whether there were law enforcement guidelines dealing with domestic violence in Vihiga County. The findings in table 4.4 show 56 out of 316 (17.8%) household heads strongly agreed, 47 out of 316 (14.9%) agreed, 55 out of 316 (17.5%) while 59 out of 316 (18.7%) disagreed on the construct and 98 out of 316 (31.1%) strongly disagreed that law enforcement guidelines were employed by the government to deal with domestic violence in Vihiga County. According to the findings, 103 (32.7%) agreed there were law enforcement guidelines dealing with domestic violence compared to 212 (67%) household heads who disagreed implying that law enforcement guidelines dealing with domestic violence were unavailable in Vihiga County. The results significantly show the law enforcement on domestic violence remains a legislative challenge in Vihiga County. The findings illustrate that the state has not rolled down legal framework on intervention of domestic violence at community level. The community remains significant if we have to end the war on domestic violence in the family. Benekos & Merdo (2006) observed that legislation in all states require community registration to develop notification legislation to monitor offenders of sexual violence in the community.

In accordance to domestic violence law of Kenya, the police facilitate reporting and prosecution processes to protect the victims (Law of Kenya, 2015). This means that lack of information on domestic laws is a major challenge to persistent domestic violence offences in Vihiga County. The law clearly stipulates in article 7 section 1 that any person who reasonably suspects that an offence of domestic violence is being committed may give such information to the police officer or any other person in authority (Law of Kenya, 2015). Efforts to prevent domestic violent cannot be effectively be achieved until both the police and the family work in collaboration. USAID (2012) affirmed that the state governments need to establish intra-agency working groups and other state departments for internal coordination, integration, prevention and response in managing domestic violence in families. Coomaraswamy (2000) pointed out that legislation on domestic violence was a modern phenomenon that requires drafting of special enforcement laws.

**Table 4.4 Legal Justice Strategies on Law Enforcement Guidelines**

Domestic violence law enforcement guidelines	Total	SA	A	N	D	SD
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Availability of management strategies dealing with domestic violence in Vihiga County	316	17.8%	14.9%	17.5%	18.7%	31.1%
		56	47	55	59	98

**Source: Field Data, 2017**

The Household heads were asked to list state management strategies they use to combat household violence. According to table 4.5 the results of 338 household heads show offenders were reported to police stations and assistant chiefs for prosecution. The family members dialogued with each other to resolve family conflicts. At times household heads sought the intervention of faith-based institutions. Dispute resolution mechanism such as mediation, compromise of victims, reconciliation, avoidance, family meetings and prayer for conflicting parties were applied. The findings of firms that state management strategies employed by household heads depended on the nature and extent of domestic violence perpetrated in the family.

Household heads reported offenders to police station because they have the capacity to enforcement domestic violence laws protect the victims and prosecute the perpetrators. Those who reported to assistant chiefs show that the victims had faith in the assistance provided in dealing with perpetrators for restoration of justice. The results significantly show assistant chiefs, community elders, religious leaders applied dialogue, dispute resolution mechanisms, mediation, family meetings, compromise, reconciliation and avoidance to resolve domestic violence conflicts in the study area. Despite the management strategies applied by law enforcement institutions, domestic violence remains a challenge in families in Vihiga County. According to Felser; male offenders are treated more harshly than females by the criminal justice during domestic violence law enforcement. In cases where only the male partner was injured the female partner was charged at 60.2% of the case but in case of a female partner was injured the male perpetrator were charged at 91.1%. No injury males were charged 52.5% while female was 13.2 %. (Felser, 2014). NCRC (2014) survey report in Kenya show women (37.5%) reported having experienced rape by intimate partners compared to non-intimate partners (9.6%) against intimate partners. Only 10.3% of women and 6.8% men reported not being assisted whenever they experienced physical or sexual violence in the family. Some of the victims who reported domestic violence incidences to the police officers and assistant chiefs stated that they received good support. The study showed more men 56.5% than women 32.4% reported GBV violations for intervention.

According to Kalungu (2007) victims of domestic violence reported to friends (12.5 %) and relatives (11.25 %) because they confidentially wanted to share their problem with someone they trusted. Others did not want to report their partners to the police or elders for fear of intimidation, punishment and harassment by the perpetrators. Kalungu further pointed out that the low percentage (8.75%) of victims who visited psychological counsellors was due to unavailability of such services in the community. Families who lacked counselling sought the help of witchdoctors and diviners to manage family violence. According to World Health Organization, most International Organizations embark on providing shelter and creating gender violence awareness. A study carried out in Kitui District of Kenya in 2007 show that 80% of GBV victims needed medical services and 50% stated they needed policies and laws to protect family against GBV. Families recommended for education campaigns, human rights awareness and support services domestic violence (Kalungu, 2007).

**Table 4.5 Domestic Violence Law Enforcement Strategies by Households Heads**

Responses	Total	Domestic Violence Law Enforcement Strategies by households
Household Heads	338	Report the cases to the crime desk, reporting to assistant chiefs, dialogue with family members during conflicts, involvement of faith based institutions, dispute resolution by elders and mediation between the conflicting parties, family meetings, compromised victims, reconciliation, avoidance, praying for victims and perpetrators.

**Source: Field Data, 2017**

#### 4.2.2 Non-violent Conflict Resolution Strategies

The researcher sought to establish whether the law enforcement institutions used non-violent conflict resolution strategies to combat domestic violence among the households. Table 4.6 results show 34 out of 41 (82.93%) Assistant Chiefs, 4 out of 4 (100%) Court officers, 4 out of 4 (100%) Children Protection Officers and 10 out of 13 (76.92%) Police Officers picked “yes” response implying that a non-violent conflict resolution strategy were applied to resolve domestic violence offences among households. Those who picked

“No” option were 7 out of 41 (17.07%) Assistant Chiefs, 0 out of 4 (0%) Court officers, 0 out of 4 (0%) Children Protection Officers and 3 out of 13 (23.08%) Police Officers implied that non-violent conflict resolution strategies were unavailable hence applied law enforcement strategies.

The findings significantly show the law enforcer majorly used enacted domestic violence legal framework instead of non-violent conflict resolution mechanisms to address domestic violence among households as indicated in Table 4.6 According to Nabwire (2013), peace building has not been achieved by the government but has proactively used by the police as a major instrument for managing conflicts in families. He emphasised for a legal redress to improve relationships in order to change attitudes of conflicting parties, enact processes and systems that promote empowerment, justice, peace, forgiveness and reconciliation to end conflicts in society. In accordance to the law of Kenya the court may take into account the circumstances of domestic violence case direct the parties to participate in counselling and conciliation programmes or any other programme acceptable to the court (Law of Kenya, 2015). The counselling section was meant to provide respect for the law prohibiting domestic violence, the promotion of protective environment for all within the family and promotion of harmonious domestic relations between and among the parties involved.

**Table 4.6 Non-violent Conflict Resolution Strategies**

Respondents	A/Chiefs			Court Officers		Children Protection Officers		Police Officers	
Frequencies	Response	N	%	N	%	N	%	N	%
Non-violent conflict resolution strategies combating domestic violence	Yes	34	82.93	4	100	4	100	10	76.92
	No	7	17.07	0	0	0	25	3	23.08

**Source: Field Data, 2017**

The household heads were asked to state nonviolent strategies applied in combating domestic violence in Vihiga County. The results in table 4.7 showed excommunication had 49 out of 1289 counts (3.8%), arbitration 108 out of 1289 counts (8.9%), compensation 52 out of 1289 counts (4.1%), mediation 109 out of 1289 counts (8.5%), reconciliation 164 out of 1289 counts (12.7%), conciliation 64 out of 1289 counts (5.0%), dialogue 162 out of 1289 (12.6%), rehabilitation 47 out of 1289 counts (3.6%), guidance and counselling 190 out of 1289 counts (14.7%), taboo and rituals 80 out of 1289 (6.2%), negotiation 10 out of 1289 counts (7.8%), adjudication 12 out of 1289 counts (0.9%), compromise 34 out of 1289 counts (2.6%), education 85 out of 1289 counts (6.6%) while collaboration attained 32 out of 1289 counts (2.5%) totalling to 1289 counts or 100% of responses. The results were pegged on the frequency strategies applied on domestic violence incidences perpetrated against an individual in the family household. In this respect an individual involved in a single, double or multiple abuses of violence was subjected to more management strategies.

The total distribution of strategies was counted at 1289 (100%) of all the management strategies applied by the household heads in Vihiga County, Kenya. The findings show that varieties of nonviolent conflict resolution strategies were used in resolving domestic violence offences in Vihiga County. It was therefore significant that both the law enforcers and the community applied these strategies in dealing with perpetrators and support of victims of domestic violence. According to the findings in table 4.7 guidance and counselling had 190 out of 1289 counts (14.7%) implying that it was the most common strategy used domestically to resolve domestic violence offences in households. Reconciliation 164 out of 1289 counts (12.7%) and Dialogue 162 out of 1289 counts (12.6%) were also frequently used strategies applied in resolving domestic violence conflicts in among household individuals in Vihiga County. Education, negotiation, taboo and rituals, conciliation, mediation, arbitration, collaboration, compromise, adjudication, rehabilitation, compensation and excommunication were significantly used in managing of domestic violence incidences. According to liberal peace theory, the role of the civil societies is to resolve disputes between individual citizens by following legal rules that guarantee fairness and equality (Byrne & Senehi, 2012).

In conclusion household heads apart from seeking legal strategies they used multiple non-violent conflict resolution management to combat domestic violence to restore peace and harmony in the family. According to (Maternowska *et al*, 2009), legal and justice services dealing with efficient and timely referrals within the criminal justice system such as the police, prosecution and courts of law on the nature of sexual violence require multipronged approach woven in the justice system and health system tracking sexual violence in Kenya. Kaur & Garg (2008) points out that in Florida advocates created 113907 tailored safety plans, provided 412,454 hours of advocacy, counselling services, received 122,999 hotline calls as strategies of managing domestic violence. The findings significantly justify that non-violent conflict resolution strategies were not effective in managing domestic violence incidences.

**Table 4.7 Nonviolent Conflict Resolution Strategies**

Nonviolent Conflict Resolution Strategies	Responses	
	No	Percentage
Excommunication	49	3.8%
Arbitration	108	8.4%
Compensation	52	4.0%
Mediation	109	8.5%

Reconciliation	164	12.7%
Conciliation	64	5.0%
Dialogue	162	12.6%
Rehabilitation	47	3.6%
Guidance and counselling	190	14.7%
Taboo and rituals	80	6.2%
Negotiation	101	7.8%
Adjudication	12	0.9%
Compromise	34	2.6%
Education	85	6.6%
Collaboration	32	2.5%
<b>TOTAL</b>	<b>1289</b>	<b>100%</b>

Source (Field Data, 2017)

#### 4.2.3 Domestic Violence Management Strategies by the family

The household heads were asked to list management strategies employed by the family in combating domestic violence in Vihiga County. The findings in Table 4.8 show household heads reported domestic violence incidences to the Police Desk and Assistant Chiefs for investigation and prosecution after traditional dispute strategies had failed. The households stated that families applied dialogue between the victims and perpetrators during family conflicts. Some victims sought help from Muslim, and Christian faith-based institutions for mediation, counselling and reconciliation.

Dispute resolution committees and community elders dealt with human rights, children problems as complicated cases were referred to chief's Barazas. Other conflict resolution strategies used included mediating conflicting parties; family meeting, compromise, reconciliation, avoidance and prayer were cited as key management strategies conflicts in Vihiga County. Conflict management strategies applied by family members could have been effective used if they had basic training skills on domestic violence management. Life skills and conflict resolution can be effective if counsellors or psychologist can trace underlying factors influencing domestic violence. Failure to enforce the laws leaves gap for further perpetration of domestic violence in the society. According to finding household institution still encounter challenges in resolving incidences of domestic violence in Vihiga County. According to Sullivan (2018) United States has support programmes such as advocacy, transitional housing, support groups, supervisor centres, outreach and counselling services for victims of family violence.

**Table 4.8 Management Strategies by the Family**

Respondents	Management Strategies by the Family
Management strategies employed in households 338	Dialogue with the victims during conflict by faith based institutions, dispute resolution committees and community elders. Other conflict resolution strategies used included mediation between the conflicting parties, family meetings, compromise, reconciliation, avoidance and prayer for victims and perpetrators



Source: Field Data, 2017

#### 4.2.4 Strategies by Assistant Chiefs

The assistant chiefs were asked to list conflict management strategies they used in combating household violence in Vihiga County. The results show 41 Assistant Chiefs stated that they arrested the offenders of domestic violence and encouraged victims to report to Police Stations. The Assistants Chiefs acknowledged counselling conflicting parties to end family disagreements or conflicts. The assistant chiefs also used education awareness programmes to sensitize the family against domestic violence perpetration in the community. This was intended to guide families to be tolerant, avoid aggressive behaviours against intimate partner violence including children. Assistant chiefs applied basic law enforcement and life skills to prevent family violence. Negotiation, mediation, family meeting and reconciliation skills were used in managing family conflicts. The conflict parties were summoned to assistant chief's Barazas or homesteads for discussion and settlement of domestic conflicts.

Cultural resolutions mechanisms were majorly based on Luhya patriarchal practices. The Luhya traditional dispute resolution strategies; community elders are believed to be experienced on ideals and norms protecting individuals against family violence. Arbitration skills were applied by assistant chiefs to resolve domestic violence cases affecting the family under the help of Nyumba Kumi. Application of peace building strategies was used to manage violation of human rights. Stress management skills was applied to restore traumatised parties in the family while compromise, avoidance, accommodation, collaboration reconciliation and team dynamics strategies were used to reconcile victims and perpetrators in intimate relationship in Vihiga County. Assistant chiefs reported that they counselled offenders, victims and organized public awareness programmes on domestic violence. Chief's Barazas helped to prevent domestic violence though some individuals failed to attend such meetings. One Vihiga Assistant Chief said:

The affected parties reconciled and pleaded for forgiveness. The law enforcers are corrupt hence compromised domestic violence cases and also failed to report for prosecution. He also stated that some communities could not go against their traditional taboos by managing domestic violence because of the laid down patriarchal system structures (Vihiga Assistant Chief, 2017).

In Luanda, one of the assistant chiefs said he used conflict resolution, public Barazas, education programmes, arrested perpetrators and helped victims manage their stress. In Sabatia sub-county one of the assistant chiefs reported using mediation through local elders and the rule of law to deal with offenders of domestic violence. Another informant said:

I used mediation though local elders to put tough measures against offenders of domestic violence and also embraced the rule of law on deviant members of the family (Field Data, 2017).

To reinforce the findings of the study Megan *et al* (2007) stressed the need for restorative justice in dealing with victims and perpetrators of violence in the family institutions. Kenya Constitution (2010) empowers law enforcement institutions to fight gender violence through GBV programs to increase access to justice, integrated support services and public awareness to end GBV in the society. Interactive conflict resolution and liberal peace theories justifies the use of a trained third party practitioner in arbitrating intergroup conflicts. In this respect the state government should empower the judges and counsellors to resolve domestic violence cases in Vihiga County.

The research sought to establish from the household heads whether Assistant Chiefs enforced domestic violence laws in Vihiga County. According Table 4.9 findings 68 out of 318 (21.4%) household heads strongly agreed and 85 out of 318 (26.7%) agreed that assistant chiefs enforced the domestic laws in Vihiga County. 52 out of 318 (16.4) were neutral on the construct while 48 out of 318 (15.1%) disagreed and 65 out of 318 (20.4%) household heads strongly disagreed that the Assistant Chiefs enforced domestic violence laws in Vihiga. The findings significantly imply that assistant chiefs have challenges in managing domestic violence against family members in Vihiga County.

According to the findings household heads received minimal protection from assistant chiefs (Provincial Administration) in Vihiga County. The informants who strongly agreed (21.4%) and agreed (26.7%) was low hence revealed the inadequacy of domestic law enforcement in the study area. The findings revealed that a total of 113 out of 318 (35.5%) cumulatively disagreed and strongly disagreed that Assistant Chiefs hardly enforced domestic violence laws to avert domestic violence in communities. This was due to lack of conformity on domestic violence legal framework and policies on state intervention of domestic violence in Vihiga County. Those who never responded were likely to be uninformed group on policy guidelines managing domestic violence in Kenya. Wahab & Odetokun (2014) recommended that conflict management and resolution techniques should utilize community members and the judicial for legal in order to resolve conflicts. Kenya Constitution (2010) empowers institutions to fight gender violence through GBV programs that increase access to justice, integrated support services and public awareness. The findings of the study revealed lapses on domestic violence law enforcement filled by the study.

Table 4.9 Intervention Strategies by Assistant Chiefs

Responses	Total	SA	A	N	D	SD
Guidelines dealing with domestic violence in Vihiga County	318	21.4% 68	26.7% 85	16.4% 52	15.1% 48	20.4% 65

**Source: Field Data, 2017**

According to the interview with assistant chiefs on state intervention strategies combating domestic violence; 41 (100%) of the assistant chiefs in Table 4.10 reported that sexual violence incidences such as rape, defilement, sexual harassment were resolved through public awareness, counselling and sensitization of the victims. The assistant chiefs stated that offenders were arrested and taken to police stations for prosecution.

Alcoholism and drug abuse were managed through public awareness and sensitization programmes through chiefs Barazas. Dangers of drugs and substance abuse were addressed by community elder, chiefs, religious leaders and government officers. Alcoholics and drug addicts were arrested and prosecuted at Hamisi and Vihiga County Law Courts. The county government has banned the sale and use of liquor and narcotic drugs in communities in Vihiga County. The ban was enforced to prevent perpetration of domestic violence against the family household individuals.

Arson was resolved through cultural resolution practices, prosecution and sensitization strategies. According to Luhya culture the act of arson was equated to murder whereby victims and the perpetrators were to offer sacrifices to ancestor. The elders performed a ritual of cleansing ceremony to appease the dead for protection and forgiveness. According to the assistant chiefs and the police most offences of arson involved family members leading to settlements at community level. Lack of evidence was a challenge to law enforcers hence abandoned such incidences to families to make resolutions.

Incest was handled by counselling the victims at home, chief's Barazas or police stations. The offenders faced the council of elders or apprehend for prosecution under sexual violence act of Kenya. Under certain circumstances cultural resolutions was applied by the community elders through rituals and punishment by paying a sheep plus other compensation to the victim. The police officers assistant chiefs and court officers sensitized victims on dangers of incest or rape as well as intervention procedures against such violence.

Sexual assault was resolved through awareness, prosecution, adjudication and sensitization. Suicide were reported with victims being counselling by family members, chief, human rights and other law enforcers. At some instances the survivors were prosecuted in the court of law, suicide been an infringement of the law elders used cultural resolutions to deal with the problem, Verbal abuse was controlled through awareness, prosecution, arbitration, mediation of the affected parties. Psychological abuse was handled by counselling the parties in conflict, creating awareness, mediation, avoidance and accommodation to end the conflict.

Threatening text messages were resolved by creating awareness, prosecuting the perpetrators or sensitization of the family to create public awareness dangers of misuse of technology. Abuse over mobile phone was resolved through awareness, prosecution of the offenders at the same time sensitize and dialogue with family individuals involved. Burning with hot substances was a serious offence witnessed in Vihiga County against intimate partners. The violence was resolved through public awareness and prosecution of the offenders. The offenders paid medical bills for the victims. Threatening looks was taken as harassment of the victim hence attracting awareness, arbitration, sensitization, avoidance and dialogue conflict resolution skills Vihiga County households.

**Table 4.10 Intervention Strategies used by Assistant Chiefs**

Respondents	Intervention Strategies used by Assistant Chiefs
Assistant Chiefs 41	Arrested offenders, victims reported to the police, counselled conflicting parties, used educational awareness programmes, used negotiation skills, mediation, family meetings, used cultural resolutions, church leaders, held chiefs Barazas, used <i>Nyumba Kumi</i> (elders), peace building, stress management skills, compromising, avoidance, accommodation, collaboration, reconciliation, team dynamics

**Source: Field Data, 2017**

#### 4.2.5 Strategies used by Police Officers

The police officers were asked to list management strategies they used in combating domestic violence in Vihiga County. The results in table 4.11 show 13 (100%) Police officers reported to Police Gender Crime Desk in police stations received victim reports, investigation and arrest of perpetrators, awareness on chiefs Barazas was used during arbitration, mediation and reconciliation of families involved in domestic violence conflict. Chief's Barazas constitute social workers, Miji Kumi, community elders and members of the

community whose resolutions are purposed to restore the family. Dialogue technique was applied to help victims and offenders in intimate relationship resolve their differences.

The assistant chiefs arrested offender for charges prosecution in Vihiga County law courts. The assistant chiefs also referred victims to their religious affiliates (faith-based institutions) for further management. Traditional dispute mechanism was applied by community elders in family meetings for the purpose of resolving intimate partner violence. These strategies are basic principles and guidelines of the legal framework managing domestic violence incidences at the community level. According to the police unresolved cases are processed for further legislation. A Police Officer at Mbale Police Station of Vihiga Sub-County reiterated that:

We forward domestic violence cases for criminal justice in Vihiga and Hamisi County Courts for adjudication, arbitration and at times we counselled conflicting partners of domestic violence reported to us (Mbale Police Officer, 2017)

Police Officer from Hamisi Police Station said:

Perpetrators of domestic violence were arrested and taken for prosecution in Vihiga County courts of law (Hamisi Police Officer, 2017).

The findings on management strategies combating domestic violence show victims reported to Crime Desk in police stations for investigation and prosecution processes. In some cases the police reached the people through creation of awareness during chief's Barazas for preventive measures and penalties against perpetrators. They also dialogued with family spouses and children to find out the root causes of violence, compilation of the report, investigation and reconciliation parties in conflict. Perpetrators who were arrested were taken to Hamisi, Vihiga and other court of law for prosecution and due process.

According to the police officers, the basic principles of the penal code legislation are applied to both the victims and perpetrators in order to combat domestic violence in the community. The results revealed that the police had challenges in enforcing domestic violence laws. At times the police fail to arrest offenders due to lack of evidence leading to further domestic violence perpetration in the study area. According to Coomaraswamy (2000) victims and perpetrators should be counselled by the police before legislative measures are taken against them. The programme serves as alternative sentencing partner violence offenders. He continues to reiterate that the police, prosecutors, magistrates, judges and doctors should adhere to traditional values that support family institutions. Coomaraswamy states that law enforcers, medical and legal professionals should be trained in managing domestic violence, trauma of those affected and to ensure offenders face criminal justice.

The results of the responses of 13 (100%) police officers on management strategies dealing with domestic violence in table 5.6 show domestic violence cases such as defilement, rape, sexual harassment, sexual assault, murder, alcoholism and drug abuse, incest, abuse over mobile phone, burning with hot substances, throwing objects at individuals, verbal abuse were resolved through awareness, counselling, dialogue and prosecution. Psychological and emotional abuse was through counselling and awareness of the victims and offenders. The results revealed lapses in intervention strategies managing domestic violence in Vihiga County.

**Table 4.11 Strategies used by Police Officers**

Respondents	Strategies used by Police Officers
Police Officers 13	Receiving and reporting the cases to the crime desk, debriefing on chiefs Barazas, dialogue with family household heads and members on matters of domestic violence, arrest perpetrators, prosecution, dispute resolution by elders and mediation between the conflicting parties through family meetings

**Source: Field Data, 2017**

#### 4.2.5.1 Police Personnel

The household heads were asked whether the police had qualified personnel to deal with domestic violence offences. The findings in Table 4.12 show 32 out of 316 (10.2%) strongly agreed, 21 out of 316 (6.7%) agreed, 32 out of 316 or 10.2% were neutral while 73 out of 316 (23.2%) disagreed and 156 (49.75%) strongly disagreed respectively that the police are qualified in dealing with domestic violence incidences or offences in Vihiga County. According to the responses, a higher percentage of 49.9% and 23.2% strongly disagreed that the police have qualified personnel to deal with domestic violence in Vihiga County.

The results significantly show inadequacy of the police personnel to deal with offenders and supporting victims of domestic violence

in Vihiga County. The findings concur with Lakes *et al*, 2009 findings that security, police, military and peace keeping personnel should be educated on GBV enforcement. Enforcers should practice zero-tolerance and institute protocols for referrals on legislation of domestic violence in society. Kenya Government Gender Violence and the Sexual Offences Act (KGGVSOA, 2006) legislates on sexual violence offences against women. According to Murungi (2012), domestic violence is challenged by cultural indifferences and barriers that undermine its prevention. Le-Ngoc (2015) pointed out that professional associations such as doctors, lawyers, psychologists, security personnel, nurses, social workers, welfare workers and other professionals can help combat domestic violence in society. According to the Constitution of Kenya (2010), chapter 4 on the bill of rights stipulates the functions of the Judiciary and other legal systems enforce law. The Constitution talks about mediation, arbitration and traditional dispute resolution mechanisms as mechanisms of combating violence in the society. UNIFEM (2003) recommended the government of Kenya to introduce new legislation, strengthen old laws for effective management of GBV and domestic violence in Kenya. The organization emphasized advocacy and networking of law enforcers in promoting awareness and public education on domestic violence.

#### 4.2.5.2 Police Training

The household heads were asked whether the police have appropriate skill in combating domestic violence. The findings on table 4.12 show out of 313 household heads who returned the questionnaires for analysis 41 out of 313 (13.1%) strongly agreed that the police have appropriate skills to combat domestic violence in Vihiga County, 36 out of 313 (11.5%) agreed on the construct, 37 out of 313 (11.6%) were neutral implying that the police are skilled nor not skilled in managing domestic violence incidences. 73 out of 313 (23.3%) disagreed while 126 out of 313 (40.3%) strongly disagreed that the police have the appropriate skills in combating domestic violence in Vihiga County. The study did not include the 25 out of 338 (7.4%) missing responses.

The findings significantly show that the police officers were not fully equipped to deal with domestic violence perpetration in Vihiga County. According to these results police training on domestic violence intervention strategies management on domestic in dealing with victims and offenders. According to the findings of 37 out of 313 (11.6%) as neutral, 73 out of 313 (23.3%) disagreed and 126 out of 313 (40.3%) strongly disagreed accumulating to 236 (75.2%) affirmed that the police lacked knowledge in implementing the legal framework and policy guidelines on domestic violence enforcement. The study further revealed lack of forensic investigation and follow ups whenever family violence incidences were reported to the police. A female Police officer from Mbale Police Station said:

We are hardly trained on ways of managing domestic violence. Trainings are occasionally provided to our administrators (bosses) who after workshops they shelve the knowledge to themselves (Mbale Female Police officer, 2017).

The statement of the police officer implied that the police in the category of sergeants and corporals lacked capacity trainings and programmes on domestic violence law enforcement. Domestic violence law enforcement strategies need to be addressed to empower police officers in combating private intimate violence in Vihiga County. According to Kaidi (2007) most victims (76.25 %) of domestic violence preferred to seek medical assistance compared to 5% who report the incidences to the police. The general challenge and fear of the victims is that reporting intimate partners to police may triggers further perpetration. Kaidi further observed that domestic violence cases were handled by community elders to provide settlements. Lake, Keys, Obaid & Aossey (2009) emphasised on training of police officers, social service personnel, health personnel, parents, child development agencies in preventing domestic violence in society.

Table 4.12 results show 45 out of 316 (14.2%) strongly agreed and 42 out of 316 (13.3%) that the police resolved intimate violence offences against family members, 60 out of 316 (19%) remained neutral, 60 out of 316 (19%) disagreed while 109 out of 316 (34.5%) strongly disagreed that the police helped in resolving intimate violence against family members in Vihiga County. Out of the 338 who returned the questionnaires, 22 household heads did not fill in the data. The findings clearly show inefficiency of the police force in resolving intimate violence offences in Vihiga County. According to William & Joseph (2002) the police are directly linked to criminal justice system and the public enforcement of domestic laws. Megan *et al* (2007) posited that the police hardly investigate violent acts nor apprehend criminals due to corruption and compromise by the perpetrators. Cook (2006) recommended the use of computerized management information system (CMIS) during investigations and prosecution of family violence perpetrators.

#### 4.2.5.3 Police Intervention Strategies on Domestic Violence

The researcher sought to assess whether the police were involved in preventing domestic violence in Vihiga County families. The findings in table 4.12 show the police involvement in preventing family violence was very low. This was evident from the low median and mode ratings of 2 and 1 respectively. The results show 27 out of 320 (8.4 %) household heads strongly agreed and 31 out of 320 (9.7%) agreed that the police were involved in preventing family violence, 38 out of 320 (11.9%) were neutral, 84 out of 320 (26.3%) disagreed while 140 out of 320 (43.8%) strongly disagreed that police were involved in preventing family violence in Vihiga County. 18 out of 338 (5.3%) never attempted the question hence not documented into the report. The results of the household heads who strongly agreed and agreed 58 out of 320 (18.3%) significantly show a low response on police prevention strategies on domestic violence. The data suggest lack of support to victims and prosecution of perpetrators of domestic violence in Vihiga County. The lapses

could be due to witnesses not reporting domestic violence perpetrators due to compromise by community elders. According to Baker *et al* (2017) the police officers are to provide victims and witnesses of domestic violence with support and assistance through assistance and cooperative efforts with community stakeholders so as to prevent further abuse and harassment. The police have to liaise with law enforcement agencies, prosecutors, parole, probation departments, community based domestic violence groups, social service agencies, adult and child protective services, clergy, educators, government agencies, businesses and employers to combat domestic violence in Vihiga County.

Focus group participants reported that the government, through the Chief's Barazas, sensitizes community member's protection rights and offers legal advice to victims of domestic violence. The Chiefs refer serious cases to the police who file them in court and arrest perpetrators. In other areas of the community councils of elders helped in managing family violence in Vihiga County. Such councils were encouraged to file returns and reports with the judicial system. The government has set up offices for children officer's every Sub-county. In most of the cases, the community members report domestic violence incidences to the police, chief, sub-chief, clan elders, CBOs and NGOs for assistance. However, the community members stated that the government officials were corrupt and routinely took bribes to render services. 262 out of 320 (82.0%) household heads were neutral, disagreed and strongly disagreed that the police were involved in preventing domestic violence in Vihiga County. The findings reflected high frequencies implying that the police have challenges in enforcing domestic violence policies in Vihiga County. According to table 4.12 findings 13 police officers stated that Assistant Chiefs reported cases of domestic violence to police officers for investigation and prosecution of offenders but received negative feedback.

Chief's Barazas meetings involved dialogue and created awareness to the community on dangers of instigating domestic violence and the penalties involved. During such meetings perpetrators were warned of arrest of such crimes. Leaders of faith-based institutions counselled their adherents to avoid domestic violence incidences and encouraged them to uphold living values of the society. Assistant chiefs also involved community elder's in resolving domestic violence amongst family individuals in Vihiga County. The interview with the assistant chiefs affirmed that the management strategies used were arresting offenders, guidance and counselling, arbitration, mediation and Nyumba Kumi, educational awareness programmes, family negotiations on underlying conflict situations, use of cultural practices, the involvement of church leaders, chiefs Barazas, family meetings to restore peace and justice among household individual experiencing domestic violence.

The survey carried out by the researcher at Luanda Police Station between 2008 and 2014 revealed that perpetrators of rape offences reported were 32 men, assault and grievous harm had 393 men, arson 18, defilement 81, murder 60 and 2 women, sexual harassment 163 men and 43 women, verbal abuse 2 men, malicious damage 54 men and 12 women, creating disturbance 679 men and 165 women, alcoholism and drug abuse 552 men and 157 women and suicide 2 men and 1 woman were arrested and prosecuted in the court. According to these data offences of rape, assault and grievous harm, arson and defilement were mostly committed by men than women. The police noted that intimate offenders coerced their victims during the offensive act. Rape and defilement were committed in dark or hidden areas of in households and the community. According to crime department officers most cases were hardly reported for prosecution leading to further violation of the law. Assault and grievous harm computed was at 393, arson 18 men implying that men were violent and aggressive compared to women. The findings further revealed crime reports majorly target male gender as offenders leaving females as salient perpetrators of domestic crimes. The findings significantly revealed family violence was prevalent despite state intervention efforts to combat it.

Alcoholism and drug abuse reported at 552 men and 157 women show both gender are involved in substance and drug abuse. According to the police crime department families whose members are alcoholics and drug addicts were prone to domestic violence violation. The findings show higher frequency of men than women are subjected to depression and aggression hence generates disturbances and violence against family members. Suicide records showed 2 men and 1 woman implies that such crimes were not reported to the law enforcers but resolved at family level. According to the records show domestic violence crimes remain under reported despite its prevalence in households in Vihiga County. According to records from Vihiga Police Station between 2011 and 2013 show 3 men were convicted of rape, defilement 43 men, assault and grievous harm were 117 men and 34 women, arson 4 men and 1 woman, defilement 43 men, murder 3 men, sexual harassment 5 men. The report from Vihiga Police Station reflected that 3 men were convicted of rape in the period of 4 years implying one case per year. This data is not proportional to domestic violence incidences occurring in families in Vihiga County. Vihiga County is densely populated (554,000 people) with a high poverty index of 65% that has a high influence instigation of violence in the family. Defilement had 43 male perpetrators reported for prosecution. The data significantly revealed lack of reporting domestic violence incidences to the police and other law enforcers. The limited record brings to account that defilement and rape victims were resolved by the family and community. According to these reports, men were the prime offenders compared few women taking part in domestic and sexual violence offences in Vihiga County. According to Lake *et al* (2009), the security sector, police, military and peacekeeping personnel practice zero-tolerance on GBV by enforcing domestic violence laws and protocols to prevent domestic violence within the state.

**Table 4.12 Strategies by Police Officers**

Domestic violence prevention	Total	SA	A	N	D	SD
The police prevention is the best way of combating domestic violence	320	8.4% 27	9.7% 31	11.9% 38	26.3% 84	43.8% 140
The police have enough qualified personnel to reduce domestic violence	314	10.2% 32	6.7% 21	10.2% 32	23.2% 73	49.7% 156
The police help in resolving intimate violence among households	316	14.2% 45	13.3% 42	19.0% 60	19.0% 60	34.5% 109
The police have appropriate skills in curbing domestic violence	313	13.1% 41	11.5% 36	11.8% 37	23.3% 73	40.3% 126

**Source: (Field Data, 2017)**

#### 4.2.6 Strategies by Children Protection Officers

The researcher sought to find out the management strategies used by Children Protection Officers in resolving domestic violence against children in Vihiga County. The findings of four (4) children protection officers showed awareness of human rights, prosecution of offenders, reporting of the violence to police stations and relevant enforcement authorities, counselling and dialogue, education programmes to manage domestic violence incidences in Vihiga County (Table 4.13). According to children protection officers; extreme incidences of domestic violence were referred for arbitration and adjudication to the police, courts and other law enforcement agencies for protection. Children departments have limitation in handling family violence offences. In this respect only receive reports, document, file cases of victims and perpetrator hence forward to the criminal justice departments for further management. One Children Protection Officer in Vihiga Sub-County said:

I majorly sensitized families to uphold human rights in collaboration with other institutions combating domestic violence against children within the family (Vihiga sub-County Children Protection Officer, 2017).

From Sabatia Sub-County another Children Protection Officer reiterated:

Any violence against children was reported to local authorities and the nearest Police Station for investigation (Children Protection Officer, Sabatia, 2017).

The Children Protection Officers were also asked to state management strategies employed on specific domestic violence offences. The results of the findings of four (4) officers were documented as follows rape cases were managed through rehabilitation, prosecution, counselling, hospital management and adjudication.

Defilement, sexual harassment, alcoholism and drug abuse cases were managed through rehabilitation, prosecution, counselling, hospital management and adjudication. Cases of arson, incest, sexual assault, psychological and emotional abuse in family households were managed through awareness, prosecution, hospital management and adjudication while suicide victims was through mediation, prosecution, counselling and adjudication. According to the findings similar management strategies were used to deal with a variety of domestic violence offences. The findings also revealed that children department staff lacked skills; capacity and training effectively implement laws protection children rights. In a study by Sullivan (2018) domestic violence programs help to create communities that value all their members and promote individual and community well-being. In relation to this study Felser (2014) reiterated that homes where domestic violence occur children are physically abused and neglected at higher rates than the national records in place. These studies call for state governments to redress law enforcement strategies for effective intervention on violence against children in families in Vihiga County.

**Table 4.13 Strategies by Children Protection Officers**

Respondents	Strategies by Children Protection Officers
Children Protection Officers 4	Awareness of human rights, prosecution of offenders, reporting the violence to police stations and other relevant legal authorities, counselling, dialogue, educational programmes on household violence in the community

**Source: Field Data, 2017**

#### 4.2.7 Strategies by Court Officers

The study sought to find out from the Court Officers the management strategies they used to combat domestic violence in Vihiga County. According to the findings the four (4) Court Officers reported that they prosecuted perpetrators, used witnesses to determine judgement, security hotlines to apprehend perpetrators, child hotlines to protect child victims, peace committees to restore families in conflict. They used public awareness programs to sensitize families on their constitutional rights, upheld on the penal code for provision of social justice, fining, and sentencing perpetrators and counselled victims of domestic violence. Hamisi Principal Magistrate said:

We addressed the grievances of both conflict parties to determine the judgement by listening to the witness explanations before making judgement, create awareness on dangers of domestic violence at the same time ensured for the safety of victims against perpetrators of domestic violence (Hamisi Principal Magistrate, 2017).

The Vihiga Principal Magistrate reiterated that she applied institutional hotline services such as child help lines, court committees and expeditious disposal of contact lines to manage domestic violence in Vihiga County. She stated that the Officers Commanding Police Station (OCS), Officer Commanding Police Division (OCPD) and the Law courts are responsible for prosecuting, adjudicating and arbitrating domestic violence offences with the assistance of Nyumba Kumi. Part II Article 24 section 2 (b) of the Law of Kenya, 2015 requires the police officers, social workers, probation officers, medical practitioners, children officers or any other appropriate persons or authorities to investigate acts of omissions of domestic violence. The enforcers have the jurisdiction of forwarding cases directly to courts for legal interventions (Law of Kenya, 2015). Migori law Courts magistrate reiterated that cases on consensual under-age sex convicted under sexual offence Act both the perpetrator and the victim are usually referred to Probation Department for supervision, rehabilitation, guidance and counselling (NCRC 2014).

The results in Table 4.14 show 4 of out 4 (100%) Court Officers revealed there were reported incidences of defilement, rape, sexual harassment, sexual assault, murder, incest, abuse over mobile phones, burning with hot substances, throwing objects at individuals, verbal abuse incidences. The Court Officers stated that such offences were managed by arbitration, adjudication, creating awareness and prosecuting perpetrators in the court of law. Incidences of psychological violence were counselled in addition to provision of awareness on protection rights. The results significantly revealed that domestic violence was a common practice hence needed proper legislative mechanisms and intervention strategies. In Kenya, Sexual Offences Act Implementation Taskforce [SOAITF] has been set up to provide guidance on multi-disciplinary collaboration and regulatory framework on domestic violence legislation. In 2007 the Division of Reproductive Health (DRH) in the Ministry of Health [MoH] was constituted with the mandate of the National Rape Care Committee Sexual Violence Crimes [NRCCSVCK] to prevent family violence in Kenya (Maternowska *et al*, 2009).

National Standards and Protocols Kenya (NSPK) has National Guidelines on Medical Management of Sexual Violence (KNGMMSV) that sets standards to prevent domestic violence in Kenya. A post-rape care committee has been mandated to develop a regulatory framework for scaling-up planned quality services on national monitoring and evaluation system on sexual violence (Maternowska *et al*, 2009). Multi-disciplinary collaboration task force formed in March 2003 work in conjunction with the civil society partnership in deliberating issues of sexual violence under the '*Komesha Unajisi*' (stop rape). The network advocates for social, legislative and policy charges against sexual violence in Kenya (Maternowska *et al*, 2009).

Respondents	Strategies by Court Officers
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**Table  
Strate-  
Court**

Court Officers	4	Arbitration, adjudication, mediation, prosecution of perpetrators, use of witness to determine judgment, used domestic violence hotlines, child hotlines, used peace committees, created awareness on their constitutional rights, upheld on the penal code for provision of social justice, fining, and sentencing perpetrators and counselled domestic violence victims.
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**4.14  
gies by  
Officers**

**Source: Field Data, 2017**

### 4.3 Prosecution of Perpetrators of Domestic Violence

The researcher sought to find out whether the perpetrators of domestic violence were arrested by the police and prosecuted in a court of law. The results in Table 4.15 show 57 out of 312 (18.3%) of the household heads strongly agreed and 65 out of 312 (20.8%) agreed that perpetrators of domestic violence were arrested by the police and prosecuted in a court of law, 43 out of 312 (13.8%) were neutral on whether the perpetrators were taken to court or not while 57 out of 312 (18.3%) disagreed and 90 out of 312 (28.8%) strongly disagree that perpetrators of violence were arrested and prosecuted in a court of law while 26 out of 312 (7.7%) household heads did not respond to the construct.

According to the results, 122 out of 312 (39.1%) cumulatively agreed that perpetrators of domestic violence were arrested and prosecuted in a courts of law while 147 out of 312 (47.1%) disagreed implying that perpetrators were not arrested nor prosecuted in a court of law in Vihiga County. The findings significantly show some perpetrators of violence faced the arm of the law. The major impediment of law enforcement was under reporting of domestic violence as cited by household head who disagreed on the construct. Failure of witnesses and inefficient forensic investigation by the police also hindered the prosecution processes. Traditional dispute conflict resolution by community elder and families hindered law enforcement on domestic violence perpetrators in Vihiga county communities. According to Jackson (2007) systematic gender bias and reluctance to change traditional justice system is the result of persistent domestic violence in the family.

**Table 4.15 Prosecution of Perpetrators of Domestic Violence**

Household Heads Response	Total	SA	A	N	D	SD
Prosecution of perpetrator of Domestic violence	312	18.3% 57	20.8% 65	13.8% 43	18.35% 57	28.8% 90

**Source: Field Data, 2017**

According to Table 4.16: Hamisi Magistrate Court records revealed that between 2008 and 2014 perpetrators prosecuted for defilement were 108 men, rape 46 men, assault and grievous harm 428 men and 128 women, fighting or affray 6 men and 1 woman, sexual harassment 1 man and 2 women, murder 3 men and 2 women, arson 14 men and 3 women, suicide 2 men, malicious damage 16 men and 3 women, creating disturbance 1264 men and 102 women, alcoholism and drug abuse 1565 men and 370 women. According to Hamisi court report it is significant that men are the major perpetrators of domestic violence in Vihiga County compared to women. The study also reveals that defilement and rape were only committed by males and not females. According to the finding assault, grievous harm, fighting or affray, sexual harassment, murder, arson, suicide, malicious damage were committed by both gender against family members. The study also revealed that alcoholics and drug abuser were aggressive and caused disturbance to families in Vihiga County.

The finding from Hamisi Court criminal Registry revealed inadequacy in documentation of domestic violence incidences and prosecution of perpetrators in Vihiga County. The figures recorded in the court archives are insignificant in relation to the period between 2008 and 2014 hence did not correlate to rampant domestic violence incidences experienced in the study area. The results revealed lapses in reporting and investigations of domestic violence crimes for prosecution. In this essence the magistrates only prosecuted forwarded cases leaving a myriad of offenders to freedom in communities in Vihiga County.

Lack of witnesses and police investigations was a barrier in implementing the legal framework on domestic violence enforcement. According to the above statistics prosecuted cases of rape, defilement, assault, fighting, suicide, malicious damage and grievous harm were mainly perpetrated by male as compared to limited statistics on female counterparts. Cases like creating disturbance which had 1264 men and 102 women, alcoholism and drug abuse with 1565 men and 370 women were considered as factors of perpetration by Hamisi Magistrate in Vihiga County. Alcoholics and drug addicts are usually aggressive and violent to family members as they coerce anybody within their vicinity. According to Capis (2012), serious crimes of defilement and rape in Vihiga escape prosecution due to lack of witnesses in courts.

**Table 4.16 Hamisi Magistrate Court Prosecution Records 2008 to 2014**

Domestic Violence Legislation	2014-213		2012-2011		2010 – 2009		2008		Total	
	M	F	M	F	M	F	M	F	M	F
Defilement	21	0	59	0	22	0	6	0	108	0
Rape	12	0	19	0	10	0	5	0	46	0
Assault/Grievous harm	118	41	169	62	101	25	40	0	428	128
Fighting/affray	2	1	2	0	2	0	0	0	6	1
Sexual harassment	0	0	0	2	1	0	0	0	1	2
Murder	0	0	2	1	1	1	0	0	3	2
Arson	2	0	0	2	10	0	2	1	14	3
Malicious damage	9	1	7	2	0	0	0	0	16	3
Creating disturbance	395	45	605	44	218	7	46	6	1264	102
Alcoholism and drug abuse	245	104	284	49	721	145	315	72	1565	370
Suicide	0	0	2	0	0	0	0	0	2	0
<b>TOTAL</b>	<b>804</b>	<b>192</b>	<b>1147</b>	<b>164</b>	<b>1086</b>	<b>178</b>	<b>536</b>	<b>98</b>	<b>3453</b>	<b>611</b>

**Source: Hamisi Magistrate Court, 2017**

The findings in table 4.17 show Vihiga Magistrate Court records had defilement 52 men, rape 46 men, assault and grievous harm 273 men and 42 women, fighting 25 men and 8 women, sexual harassment 2 men and 1 woman, murder 2 men, arson 25 men and 4 women, verbal abuse 10 men, malicious damage 37 men, creating disturbance 242 men and 84 women, Alcoholism and abuse were 338 men and 76 women. A total of 972 men and 215 women were prosecuted or causing acts of violence to individuals in Vihiga County. Finding from Vihiga Court criminal records show there was significant domestic violence perpetration in Vihiga County.

The records generalized domestic violence crimes prosecuted in the period between 2008 and 2014. The underscored records could be due to under reporting of perpetrators to the law enforcement organs. According to (Maternowska *et al*, 2009), there was an increase in the data reported on sexual violence among children in Kenya. Although there has been increased reporting and evidence on sexual violence against men victimization there is still limited knowledge about sexual violence against men in Kenya. To manage domestic violence, Rwanda government has established gender desks in police stations to help victims of sexual violence and other forms of GBV. The government has mandated the police to investigate cases of violence for prosecution (Kimani, 2012).

**Table 4.17 Vihiga Magistrate Court Criminal Records 2008 to 2014**

Prosecution of domestic Violence in Vihiga County	2013		2012		2011		Sub total		TOTAL
	M	F	M	F	M	F	M	F	
Defilement	17	0	20	0	15	0	52	0	52
Rape	15	0	19	0	12	0	46	0	46
Assault/Grievous harm	74	11	87	13	112	18	273	42	315
Fighting/affray	12	5	9	0	4	3	25	8	33
Sexual harassment	0	0	0	0	1	0	2	1	3

Murder	0	0	2	0	0	0	2	0	2
Arson	7	1	10	2	8	1	25	4	29
Verbal abuse	3	0	2	0	5	0	10	0	10
Malicious damage	12		15		10	0	37	0	37
Creating disturbance	63	21	82	17	117	46	262	84	346
Alcoholism and drug abuse	57	17	79	23	102	36	238	76	314
TOTAL	260	55	325	55	386	104	972	215	1187

Source: Vihiga Magistrate Court, 2014

#### 4.4 Gender Mainstreaming Strategy

The study sought to find out whether both men and women were involved in combating domestic violence in Vihiga County. The findings in table 4.18 show 99 out of 311 (31.8%) household heads strongly agreed that both men and women were involved in combating domestic violence, 88 out of 311 (28.3%) of the respondents agreed, 50 out of 311 (16.1%) were neutral while 29 out of 311 (9.3%) of the household heads disagreed and 45 out of 311 (14.5%) strongly disagreed that both men and women were involved in combating domestic violence in Vihiga County.

The findings in table 4.18 show higher frequencies of those who agreed compared to the respondents who disagreed. This implies that domestic violence crimes were resolved by spouses due to difficulties in accessing legal justice. In the study 27 out of 338 (8%) household heads never returned questionnaires for inclusion into the study. Coomaraswamy (2000) observed that men need education empowerment, employment opportunities, legal literacy, and the right to inheritance. Human rights education and information regarding domestic violence should be provided to men for their absolute rights. Integrated supportive services, legal intervention strategies including counselling, relocation, credit support, and employment should be availed to the family. Le-Ngoc (2015) recommended that domestic violence victims should be counselled to break the trauma. Women to be involved in decision-making processes at all levels of conflict phases, designing and implementing policies related to conflict management. According to USAID (2012), promotion of human rights was ideal in combating GBV in society.

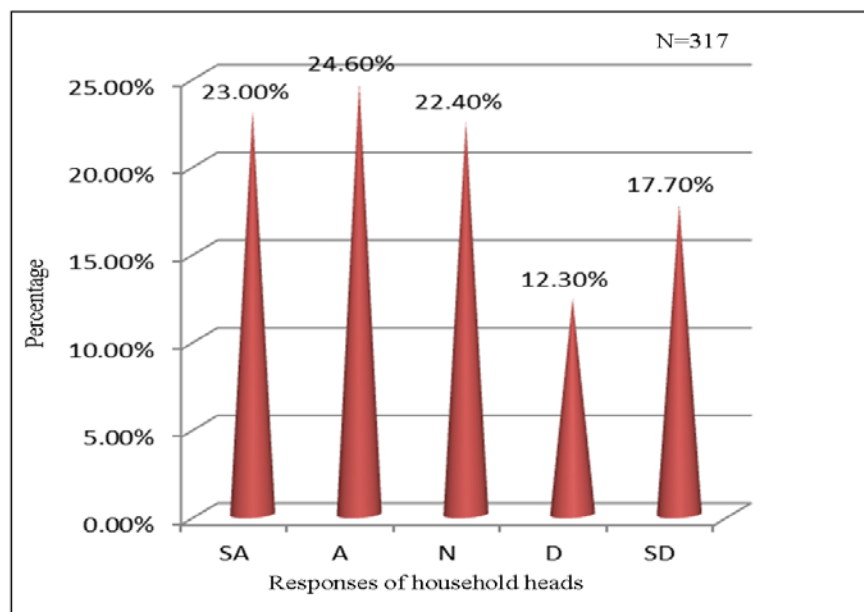
Table 4.18 Gender Mainstreaming Strategy

Gender mainstreaming strategy	Total	SA	A	N	D	SD
Both men and women are involved in combating domestic violence	311	31.8% 99	28.3% 88	16.1% 50	9.3% 29	14.5% 45

Source: Field Data, 2016

#### 4.5 Involvement of Women in Combating Domestic Violence

According the results in Figure 4.2: 73 out of 338 (23.0%) household heads strongly agreed and 78 out of 338 (24.6%) agreed that women took part in combating household violence in Vihiga County. 39 out of 338 (12.3%) disagreed, 56 out of 338 (17.7%) strongly disagreed while 71 out of 338 (22.4%) remained neutral on the construct. 21 out of 338 (6.2%) never responded hence not included in the study. Most respondents agreed that women took part in combating household violence. Women play a vital role in moulding children behaviour hence resilient during family conflicts. Women involved religious leader to offer spiritual support and counselling to victims of domestic violence. Women model children's character trait, develop discipline and self-control skills that help do reduce deviance in society. Female were cited as empathizers and reconciliatory individuals towards family parties in conflict, at the same time easily settle their differences. The informants reiterated that women persistently live with violent intimate partners implying that they have intrinsic mechanisms for controlling anger and nurturing violent offenders. According to KNGECA (2011) report, the legislative framework should spearhead gender equality, inclusion and freedom from discrimination against persons. The legislative framework should ensure all laws; policies and administrative guidelines are enforced to mitigate GBV and domestic violence in Kenya. Crime against humanity was to be managed through public education and coordination of multispectral responses (KNGEC, 2014).



**Figure 4.2 Involvements of Women in Combating Domestic Violence**  
**Source: Field Data, 2016**

#### 4.8.7 Government Legislation on Domestic Violence in Vihiga County

The researcher sought to assess whether domestic violence was considered as a private affair in Vihiga County. Table 4.19 show 48 out of 311 (15.2%) household heads strongly agreed while 36 out of 311 (11.4%) agreed that domestic violence is treated as a private affair by the family, 43 out of 311 (13.6%) remained neutral, 52 out of 311 (16.5%) disagreed while 137 out of 311 (43.4%) strongly agreed that the law treated domestic violence as a private affair in Vihiga County. The findings from household heads revealed that law enforcement institutions treated domestic violence as a private family affair. The justification by 137 out of 311 (43.4%) household heads strongly disagreed that domestic violence was private but a public affair that required legal intervention. In Vihiga county marriage institutions seem to be pegged on male power dominance in which women and children were subjected family violence. The law enforcers hardly assist families undergoing domestic violence even when the violence is perpetrated in public. A study conducted by Emily *et al.* (2010) revealed that cases of domestic violence in courts had limitations leading to high levels of prevalence in the community. They conceded to the fact that victims hardly receive justice due to the weakness of the law.

**Table 4.19 Law Enforcement on Domestic Violence**

Household violence	Total	SA	A	N	D	SD
According to the law household heads	311	15.2%	11.4%	13.6%	16.5%	43.4%
violence is a private affair		48	36	43	52	137

**Source: Field Data, 2016**

#### 4.6 Support Strategy for Domestic Violence Victims

The researcher sought to establish whether victims of domestic violence were given social support by the government in Vihiga County. The results of household heads in Table 4.20 below show 128 out of 319 (40.1%) strongly disagreed and 68 out of 319 (21.3%) disagreed that victims of domestic violence were given social support by the government in Vihiga County. 50 out of 319 (15.7%) were neutral while 25 (7.8%) agreed and 48 out of 319 (15.0%) strongly agreed that victims of domestic violence were given social support by the government in Vihiga County. 27 out of 338 (8.0%) household heads did not respond to the construct.

According to the results, victims of domestic violence hardly get social support from the government and human rights institutions. The reason behind may be attributed to lack of reporting domestic violence offences and concealment of information required for implementation of intervention strategies by government on victims and perpetrators. According to USAID (2012), promotion of human rights should be geared towards reducing GBV against persons in the community. Collaboration with non-governmental organizations, faith-based organizations and government institutions should provide prevention awareness strategies to victims of family violence. Studies in United States show multilateral organizations, civil society and private sectors break down barriers and discriminatory laws in order to address domestic violence atrocities in the state (USAID, 2012).

The researcher sought to establish whether poor households under social support experienced domestic violence. The findings in table 4.20 show 107 out of 311 (34.4%) strongly agreed and 97 out of 311 (31.2%) agreed that poor family households under social support experienced domestic violence. 41 out of 311 (13.2%) were neutral, 33 out of 311 (10.6%) disagreed while 33 out of 311 (10.6%) strongly disagreed that families under social support experienced household violence in Vihiga County. The findings from 204 (65.6%) household heads who cumulative agreed implied that family members significantly experienced domestic violence despite social support by the state or County. According to the results domestic violence is inherent in families hence need modern intervention approaches and investigation. The household heads who disagreed 107 (34.4%) was insignificant since social support programmes were intended to alleviate domestic atrocities. Chalangat (2010) observed that depressed economic, socioeconomic conditions, sexism, discrimination and inequality in households maintain cycles of psychological, physical violence and high levels of gender violence in society.

#### 4.7 Accessibility to Domestic Violence Legal Instruments

The researcher sought to assess whether guidelines managing domestic violence were accessible to household individuals in Vihiga County. Table 4.20 findings show 37 out of 318 (11.6%) strongly agreed, 24 out of 318 (7.5%) agreed while 52 out of 318 (16.4%) who were neutral stated that guidelines managing domestic violence were accessible to individuals in Vihiga County. 57 out of 318 (17.9%) disagreed while 148 out of 318 (46.5%) strongly disagreed that domestic violence enforcement guidelines were accessible to individuals in Vihiga County. The study revealed lacked efficient and effective strategies managing domestic violence in Vihiga County. According to Murungi (2012) domestic violence is challenged by cultural indifferences and barriers that do not recognize it as a crime. Kenya Constitution (2010) empowers institutions to fight gender violence through GBV programs. The constitution legislates on elimination of gender discrimination and GBV for protection against family violence in the community. Despite these strategies domestic violence has remains a national challenge the study tried to address.

#### 4.8 Dispute Awareness Programmes on Domestic Violence

Household heads were asked whether family dispute awareness programmes on domestic violence were available in Vihiga County. The results in table 4.20 show 38 out of 317 (12.0%) household heads strongly agreed, 55 out of 317 (17.4%) agreed that dispute awareness programmes were available in Vihiga county while 52 out 317 (16.4%) were neutral with 54 out of 317 (17%) and 148 out of 311 (46.5%) who strongly disagreed that family dispute awareness programmes were available in Vihiga County. A total of 202 (60%) disagreed and strongly disagreed significantly affirming that family dispute awareness programmes on domestic violence are not available in Vihiga County. The respondents lacked information on law enforcement and domestic violence legislative procedures hence remained subjected to domestic violence violation. Out of 338 questionnaires, 21 (6.2%) never attempted the construct. According to Bragg (2003), law enforcement officers are trained to identify domestic violence crimes, investigate and prosecute the offenders (Bragg, 2003).

#### 4.9 Distribution of Family Property

The researcher asked household heads to state whether property policies were enforced to avoid family violence in Vihiga County. The result in 4.20 show 57 out of 311 (18.3%) household heads strongly agreed that property policies were enforced to avoid family violence in Vihiga County. 56 out of 311 (18%) agreed, 62 out of 311 (19%) were neutral while 61 out of 311 (19.6%) disagreed and 75 out of 311 (24.1%) strongly disagreed that property policies were enforcement to avoid family violence in Vihiga County. 28 out of 338 (8.0%) household heads did not respond to the question. The findings significantly revealed lack of family property policies in communities contributed to domestic violence offences in Vihiga County. The results prompt for policies on property ownership and resource distribution among households to prevent family violence. Multilateral organizations, civil society and the private sector break down barriers on discriminatory laws, policies on land tenure, property and, marriage rights and inheritance laws to address domestic violence (USAID, 2012). According to the Constitution of Kenya (2010), chapter 4 on the bill of rights the Judiciary and the legal system recommend the law enforce through mediation, arbitration and traditional dispute resolution mechanisms in combating violence in society.

**Table 4.20 Support Strategy on Domestic Violence**

Responses	Total	SA	A	N	D	SD
Perpetrators of violence are arrested and prosecuted in the court of law	312	18%	20.8%	13.8%	18%	28%
Victims are given social support by the government	319	15%	15.7%	15.7%	21.3%	40.1%
		48	25	50	68	128

Guidelines managing household violence accessible to families	318	11.6%	7.5%	16.4%	17.9%	46.5%
Dispute awareness programmes on family violence	317	12.0%	17.4%	16.4%	17.0%	37.2%
Property policies are enforced to combat violence among families	311	18.3%	18.0%	19.9%	19.6%	24.1%
		57	56	62	61	75

Source: (Field Data, 2017)

#### 4.9 Domestic Violence Strategy by Community Elders

The researcher sought to find out whether community elders punish sexual violence offenders in the family. The findings in table 4.21 show 66 out of 320 (20.6%) household heads strongly agreed and 40 out of 320 (12.5%) agreed that community elders punish sexual violence offenders in the family. 35 out of 320 (10.9%) remained neutral, 64 out of 320 (20.0%) disagreed and 115 out of 320 (35.9%) household heads strongly disagreed that sexual violence offenders were punished by community elders in Vihiga County. According to the results 179 out of 320 (55.9%) accumulatively disagreed and strongly disagreed that sexual violence offenders were punished by community elders in Vihiga County. 141 out of 320 (44.1%) were neutral nor aware of community involvement in punishing sexual violence offenders in Vihiga County.

The results significantly show community elders were unable to deal with offenders of sexual violence. The results imply that male offenders were hardly punished nor tried in the court of law. 18 out of 320 did not attempt the question hence not included in the report. Male perpetrators were protected by the Luhya traditional patriarchal system that subordinates female gender. According to Wahab & Odetokun (2014) traditional conflict management and resolution techniques utilize community members in resolving community conflicts. The approaches include dialogue, traditional mediation and interpersonal or group strategies in dealing with community conflicts (2014). Coomaraswamy (2000) pointed out that community elders and religious leaders have the responsibility to prevent domestic violence in society.

The researcher sought to find out whether female offenders of sexual violence were punished by the community elders. The results from household heads in table 4.21 show 54 out of 338 (17.9%) strongly agreed and 63 out of 338 (19.8%) agreed that female offenders of sexual violence were punished by community elders. 49 out of 338 (15.4%) were neutral, 48 out of 338 (15.1%) disagreed and 101 out of 338 (31.8%) strongly disagreed that female offenders of sexual violence were punished by community elders. 20 out of 338 of the household heads did not participate in the study. The results revealed that community elders had challenges in punishing female offenders in Vihiga County. According to Emily *et al* (2010) attempts to eradicate and regulate domestic violence has a challenge between the law, culture and gender relations. African customs dealing with domestic violence in the society have challenges in preventing the violence. Murungi (2012) observed that domestic violence in Kenya faces patriarchal practices hence not easy to prevent.

Table 4.21 Domestic Violence Strategy by Community Elders

Punishment of sexual offenders	Total	SA	A	N	D	SD
Men who commit sexual offences in families are punished by community elders	320	20.6%	12.5%	10.9%	20.0%	35.9%
Women who commit sexual offences in families are punished by community elders	310	17.9%	19.8%	15.4%	15.1%	31.8%
		57	63	49	48	101

Source: (Field Data, 2017)

#### 4.9 Dispute Conflict Resolution Strategy

The study sought to establish whether domestic violence perpetrators were subjected to traditional conflict resolution strategies by community elders. The findings in table 4.22 show 85 out of 301 (28.2%) of the household heads strongly agreed and 47 out of 301 (15.6%) agreed that elders applied traditional conflict resolution strategy to discipline domestic violence perpetrators in the community. 49 out of 301 (16.6%) were neutral while 38 out of 301 (12.6%) disagreed and 82 out of 301 (27.7%) strongly disagreed that domestic violence perpetrators were subjected to traditional conflict resolution strategy in the community. According to the findings, a total of 181 out of 301 (60.4%) agreed that the perpetrators were subjected to traditional conflict resolution strategies by community elders in Vihiga County. The results of those who disagreed and strongly disagreed 120 out of 301 (39.6%) show that traditional conflict resolution strategies have limitation in resolving domestic violence offences in the study area. The constitution of Kenya, 2010 provides policies on crimes against humanity, elimination of gender discrimination, gender violence, uphold human rights accord for fundamental rights and freedom for all citizens. According to UNICEF (2006), gender disputes can be resolved through education and assertiveness of family members.

The researcher sought to establish whether cultural practices were used to resolve family disputes. The results in table 4.22 show 68 out of 305 (22.3%) household heads strongly agreed, 71 out of 305 (23.3%) agreed while 49 out of 305 (16.1%) were neutral family members used cultural practices in dealing with family disputes. and 49 out of 305 (16.1%) disagreed and 68 out of 303 (22.3%) strongly disagreed that cultural practices were used to resolve family disputes in Vihiga County. The results significantly show that domestic violence offences were resolved through cultural practices such taboos and rituals. This implies that domestic law enforcement had less impact on domestic violence prevention in Vihiga County. Shipway alluded that domestic violence courts are not specialised in addressing complex domestic crimes. Shipway further states that state courts models are ineffective due to the changing nature of family violence in the world. Domestic violence has persistently remained private and prevalent challenging the criminal justice system across the states.

Table 4.22 Dispute Conflict Resolution Strategy

Responses	Total	SA	A	N	D	SD
Dispute resolution strategy by community elders	301	28.2%	15.6%	16.6%	12.6%	27.7%
		85	47	49	38	82
Traditional cultural practices	315	14.0%	8.3%	12.7%	20.6%	44.4%
		44	26	40	65	140
Family dispute resolution less educated families	314	22.9%	16.6%	11.1%	13.7%	35.7%
		72	52	35	43	112

Source: Field Data, 2017

#### 4.10 Education Approach Strategy

The household heads were asked whether educated women experienced domestic violence. Their response tabulated in table 4.23 show 44 out of 315 (14.0%) strongly agreed, 26 out of 315 (8.3%) agreed while 40 out of 315 (12.7%) remained neutral that educated women experienced domestic violence in Vihiga County. 65 out of 315 (20.6%) disagreed and 140 out of 315 (44.4%) strongly disagreed that educated women experienced domestic violence in Vihiga County. The findings significantly show that educated women experienced domestic violence as illustrated by 65 out of 315 (20.6%) and 140 out of 315 (44.4%) who disagreed on the construct. The household heads illustrated that educated women were violated by male counterparts in the family. According to Murungi (2012), domestic violence is tightly woven in sociocultural practices of the people hence create difficulties for women to escape abusive marriages.

The researcher sought to find out whether domestic violence was common in uneducated families. The results in table 4.23 show 72 out of 314 (22.9%) strongly agreed and 52 out of 314 (16.6%) agreed that families with uneducated individuals experienced domestic violence while 35 out of 314 (11.1%) were neutral, 43 out of 314 (13.7%) disagreed and 112 out of 314 (35.7%) strongly disagreed on the construct. The results significantly show 155 out of 314 (50.4%) accumulatively disagreed that with uneducated individuals experienced domestic violence in Vihiga County. On the other hand, the percentages of those who agreed and remained neutral 49.6%



show the presence of domestic violence in families with educated members. Murungi reiterated that patriarchy does not explain why women suffer under male dominance, abuse rights to life and psychological wellbeing.

**Table 4.23 Educational Approach Strategy**

Responses	Total	SA	A	N	D	SD
Experience of domestic violence by educated women	315	14%	8.3%	12.7%	20.6%	44.4%
		44	26	40	65	140
Dispute resolution in uneducated families	314	22.9%	16.6%	11.1%	13.7%	35.7%
		72	52	35	43	112

**Source: Field Data, 2017**

#### 4.11 Law Enforcement Institutions Combating Domestic Violence

The findings in table 4.24 show multiple counts of 338 household heads who sort for help from the law enforcement institutions in Vihiga County. The overall frequency of 994 counts implies that household head sort help from multiple law enforcement intuitions. According to the findings 221 out of 994 (22.2%) household heads stated that assistant chiefs were directly involved in helping domestic violence victims and reporting the offender to other law enforcement institutions for further management. Village elders were tabulated at 204 out of 994 counts (20.5%) reflecting that they gave help to 204 household heads experiencing violence in the family.

The village elders helped to address family conflicts in the community at the same time attempted to reconcile the parties in conflict and referred unresolved cases to assistant chiefs for further management. They majorly used traditional dispute resolution approaches to support victims and disciplined the perpetrators. Religious leaders 203 out of 994 (20.4%) respectively administered assistance to individuals affected by domestic violence incidences. This happens especially to church adherents cited to have intimate partner relationship. In this respect the spiritual aspect was a major strategy used instead of the law enforcement legislation hence left the victim more vulnerable to perpetrators. The strategy failed to address mechanisms of dealing with the perpetrator. Community policing had 94 (9.5%) counts significantly reflecting low attention to domestic violence violations in Vihiga County. The Police Officers had 87 (8.8%) showing that they only acted on reported cases in the Police Stations. The findings on the community policing and the police show challenges of reporting of incidences of domestic violence violations. According to the findings the police and community policing only acted on reported cases and in most cases were not available in crime scenes. This left gaps on the protection of family individuals and challenges to the enforcement officers in the study area. The findings also reveal that the majority of the family individuals were uninformed of legal action to take whenever they encounter violence in family.

The findings show that victims looked for support from available social institutions in order to resolve domestic violence in Vihiga County. Spouses sought for help from parents, mothers and father's in-laws, in-laws and other relatives in the family or community. The study shows the police officers and community policing officers had limitation in reaching household in which perpetration of domestic violence occurred. Human rights groups had 82 out of 994 (8.2%), Law Courts 77 out of 994 (7.7%) and Civil Society had 26 out of 994 (2.6%) significantly showing challenges of officers reaching out to domestic violence victims apart from dealing with reported cases for prosecution. The findings revealed that the law enforcement institutions were ineffective in managing domestic violence at county and national levels.

The results significantly show the ineffectiveness of law enforcement institutions in combating domestic violence as justified by low frequencies cast law enforcement institutions provided in Table 4.24 below. According to Gyamfi (2014) non-governmental organizations, legal experts and international organizations advocates for governments to address domestic violence through multidimensional approaches. In 1945 the Universal Declaration of Human Rights (UDHR) International Covenant on Social and Cultural Rights (ICSCR) and the International Covenant on Civil Political Rights (ICCPR) advocated for the protection of all persons against violation of human rights.

**Table 4.24 Law Enforcement Institutions Combating Domestic Violence**

Institutions Combating Domestic Violence	Responses	
	No	Percent
Assistant Chiefs	221	22.2%
Community Policing	94	9.5%
Village Elders	204	20.5%

Civil society	26	2.6%
Police Officers	87	8.8%
Religious Leaders	203	20.4%
Human rights groups	82	8.2%
Law Courts	77	7.7%
<b>TOTAL</b>	<b>994</b>	<b>100%</b>

**Source: Field Data, 2017**

#### 4.12 Effectiveness of law Enforcement Institutions

The percentages, mean and standard deviation of household heads responses on management strategies combating domestic violence in Vihiga County in table 4.25 show 108 out of 321 (33.6%) household heads rated having good support from family members, 164 out of 321 (51.1%) received excellent support from family, 13 out of 321 (4.0%) were not sure of family support, 22 out of 321 (6.9%) rated bad family support while 14 out of 321 (4.4%) had no contact with family members during domestic violence incidences. The findings revealed domestic violence victims received much support from family members indicated by good 33.6% and 51% excellent compared to state law enforcement institutions. The rationale behind was that family members were readily available for support during family conflicts. Family members understood factors that generated domestic conflicts hence applied basic conflict resolution skills in dealing with victims and the offenders. According to Harne & Radford (2008) methodological difficulties on domestic violence created problems for policy makers and practitioners in ascertaining the scale of necessary resources for domestic violence intervention. Baker (2017) pointed out that prosecution under this section may be brought in the county in which the criminal investigation, grand jury proceeding, trial or other criminal proceeding is being conducted or took place, or in the county in which the alleged conduct constituting an offense occurred.

In table 4.25 household heads rated support from friends as excellent computed at 39 out of 322 (12.1%), 212 out of 322 (65.8%) rated good help and support, 28 out of 322 (8.3%) not sure, 30 out of 322 (9.3%) rated bad while 13 out of 322 (4.0%) had no contact nor support from friends during domestic violence conflicts. According household heads that picked excellent, good help and support rated at 251 out of 322 (77.9%) revealed that friends offer more support to their colleagues facing domestic violence. Friends empathized, counselled and reconciled families encountering disputes. On the other side 71 out of 322 (21.6%) accumulatively picked neutral, bad support and no contact with friends during the occurrences of domestic violence and even after the incidences. These could be attributed to lack of intimate, cordial relations with friends and neighbours of the victim. The overall view is that friends readily resolved family conflicts, provided social support and helped in reconciling family members in conflict. According to these results friends used basic mediation, reconciliation and arbitrations skills to initiate peace and harmony in broken families. According to Sullivan (2012) employing specific knowledge, behaviours and policies in cross-cultural situations can help manage domestic violence in families to increase the sense of self and self-efficacy.

The findings on police support and help in table 4.25 show that 10 out of 317 (3.2%) household heads reported excellent support from the police officers, 85 out of 317 (26.8%) had good support, 45 out of 317 (14.2%) were not sure of help or support, 84 out of 317 (26.5%) stated bad response while 93 out of 317 (29.3%) had no contact with the police officers at the time of domestic violence occurrences. The findings of 10 (3.2%) and 85 (26.8%) on good and excellent support clearly indicated that there was inefficient and ineffective police support to household heads encountering domestic violence. The frequency also highlighted lapses in police law enforcement institutions protecting family rights. The police have challenges in implementing domestic violence protection orders in Kenya. For those household heads who recorded not sure 45 (14.2%) seemed to be fixed within the gap of ignorance and despair on whether to seek help from the police or use other enforcement agencies combating family violence in Kenya.

The findings revealed that 84 out of 317 (26.5%) stated bad while 93 out of 317 (29.3%) had no contact with the police implying that they had fear or were uninformed of the police duties on domestic violence law enforcement. According to these results household heads need to be inducted on police roles and obligations in supporting victims of domestic violence in Vihiga County. This findings support Baker's observation it's crucial for law enforcement officers to be familiar with the dynamics of domestic abuse. Lack of understanding of the complexities of these dynamics may result in blaming the victim for the violence and manipulation of the criminal justice system by the abuser (Baker *et al*, 2017).

Help from religious leaders rated in table 4.25 show excellent 54 out of 326 (16.7%), good 174 out of 326 (52.9%), not sure 33 out of 326 (10.2%), 29 out of 326 (9.0%) stated bad, 36 out of 326 (11.1%) had no contact at the time of experiencing domestic violence amongst households individuals. According to the data domestic violence victims had good support from religious leaders counted at excellent 54 out of 326 (16.7%), good 174 out of 326 (52.9%) reported not sure were 33 out of 326 (10.2%), 29 out of 326 (9.0%) stated bad 36 out of 326 (11.1%) respectively. This implied that religious leader strategies were requisite in managing family violence in Vihiga County. According to Miles (2000) domestic violence is devastating to many families hence the clergy need to create awareness, understanding and concern during intervention. The clergy should learn the dynamics and complexities for provision of care to the suffering families within the congregation.

**Table 4.25 Effectiveness of Law Enforcement Institutions**

Institutional law enforcement	Excellent	Good	Not Sure	Bad	No contact	Total
Family	33.6% 108	51.1% 164	4.0% 13	6.9% 22	4.4% 14	321
Friend	12.1% 39	65.8% 212	8.3% 28	9.3% 30	4.0% 13	322
Police	3.2% 10	26.8% 85	14.2% 45	26.5% 84	29.3% 93	317

**Source: Field Data, 2017**

Table: 4.26 show help and support by Court Officers was rated as excellent, 22 out of 310 (7.1%), 67 out of 310 (21.6%) rated as good, not sure 39 out of 310 (12.6%), 42 out of 310 (13.5%) stated bad, 140 out of 310 (45.2%) had no contact at the time of domestic violence perpetration. Court Officers had 89 out of 310 (28.7%) of the data. The findings implied that the judiciary has challenges in helping victims of domestic violence. At the same time the response of 45.2%, 13.5% and 12.6% significantly proved ineffectiveness by the court officers in discharging the law against perpetrators of domestic violence in Vihiga County. Under such circumstances the court's jurisdiction could be undermined by failure of the police officers and other law enforcement agencies in providing the required investigation reports and witness for prosecution of perpetrators. The statutes and rules of the International Criminal Tribunals on the Former Yugoslavia, Rwanda, Sierra Leone and the International Criminal Court stipulate that the states should have proper legislation on rape, sexual slavery, forced pregnancy and other forms of sexual violence against women (King, 2001).

Help and support by Children Protection officers in table: 4.26 was rated as excellent 28 out of 319 (8.8%), 105 out of 319 (32.9%) rated as good, not sure 39 out of 319 (12.2%), 38 out of 319 (11.9%) stated bad, 109 out of 319 (34.2%) had no contact at the time of experiencing domestic violence. Children protection officers were rated at 133 out of 319 (41.7%) as institutions that administered little or no help and support during domestic violence conflicts. The results show that most people were not able to access children protection officers for legal services during violations against children. The department of children is understaffed and mainly stationed at sub-county and county headquarter hence not effective. The department mainly deal with reported children cases leaving a myriad child abuse offences unattended in families in Vihiga county.

Table: 4.26 show help and support by Assistant Chiefs was reported as excellent 24 out of 324 (7.4%), good 142 out of 324 (43.8%), not sure 22 out of 324 (6.8%), 71 out of 324 (21.9%) stated bad, 65 out of 324 (20.1%) had no contact at the time of domestic violence perpetration. The assistant chiefs are charged with the responsibility of law enforcement within the community. They are mandated to resolve family violence cases and refer difficult ones for further judicial management. The family had the highest frequency of 282 out of 321 (84.7%) followed by friends 251 out of 322 (77.9%), 228 out of 326 (69.6%) for religious leaders and Assistant Chiefs with 166 out of 324 (51.2%) readily helped and supported the victims deal with domestic violence cases in Vihiga County. According to (Maternowska *et al*, 2009) grassroots prevention and interventions by the civil society can be through advocacy and community participation. They recommend community intervention because it is transformative; utilize community knowledge and resources for social change in society.

**Table 4.26 Institutional Supports of Victims**

Institutions supports of victims	Excellent	Good	Not Sure	Bad	No contact	TOTAL
Religious leaders	16.7% 54	52.9% 174	10.2% 33	9.0% 29	11.1% 36	326
Court Officers	7.1% 22	21.6% 67	12.6% 39	13.5% 42	45.2% 140	310
Child Protection Officers	8.8% 28	32.9% 105	12.2% 39	11.9% 38	34.2% 109	319

Assistant chiefs	7.4%	43.8%	6.8%	21.9%	20.1%	
	24	142	22	71	65	324

Source: Field Data, 2017

#### 4.12 Summary and Conclusions

Legal justice system was not effective in preventing domestic violence perpetration in households. Findings show 216 out of 316 (67.3%) household heads cited intervention strategies were not significant preventing domestic perpetration in Vihiga County. The law enforcement strategies used never assisted in protecting household individuals from family violence occurrences. According to the findings, the intervention by 338 households, assistant chiefs (41), police officers (13), 4 Children Protection Officers and court officers negotiation, mediation, cultural dispute resolution, religious leaders interventions, and educational awareness, compromise between victims and perpetrators, arbitration, adjudication, collaboration, avoidance, reconciliation, counselling and gender mainstreaming. There are lapses in state intervention strategies combating domestic violence among households. The respondents reported that the law enforcement institutions were faced with corruption, ineffective law enforcement and inaccessible to legal guidelines and regulations was cited as a challenge to households. The major intervention strategies cited for combating domestic violence non-violent conflict management strategies that comprised negotiation, mediation, compromise, avoidance, collaboration, reconciliation and educational awareness, cultural dispute resolution mechanism by households, chiefs, community elders, the police and the children protection officers. The findings revealed lapses within the law enforcement institution especially the police, court officers, community policing (Nyumba Kumi), Assistant chiefs and children protection officers. The victims and perpetrators were helped through for arbitration, mediation, negotiation, counselling, gender mainstreaming, and conflict resolution strategies by elders and chiefs were practiced. According to the findings domestic violence persistently remains a challenge to the legislative state intervention strategies in Vihiga County.

#### 4.13 Recommendations

The study recommended that the state enforce a proactive holistic legislation and human rights-based approaches to integrate law enforcement actors, community elders, family individuals, chiefs and assistant chiefs, police departments, children protection departments and religious groups in mitigating domestic violence in Vihiga County. The legislature should formulate workable forensic investigation strategies to mitigate factors influencing family violence. Special care must be taken by all the stakeholders in prioritising investigations into incidents of domestic violence, to ensure adequate investigations, arrest, prosecution of offenders. Traditional management strategies that are patriarchy based should be redressed through education, awareness campaigns, training programs and innovative interventions to curb domestic violence and impunity.

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