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News release

Kenyans trust the justice system but decry unequal treatment under the law, including impunity for officials who commit crimes

A majority of Kenyans trust the justice system in the country but decry that it treats people unequally, including often granting impunity to officials who commit crimes, according to an Afrobarometer survey.

While the Constitution provides that all persons are equal before the law, more than half of Kenyans say that's not the reality. Large majorities say officials who commit crimes often go unpunished, but the same is rarely true for ordinary people who break the law. Despite this reservation, more than half of Kenyans express trust in the courts of law.

Key findings:

- More than half (56%) of Kenyans say people are "often" or "always" treated unequally under the law (Figure 1). This perception increases with respondents' education level, reaching 62% among with post-secondary qualifications (Figure 2).
- Two-thirds (65%) of Kenyans believe that officials who commit crimes "often" or "always" go unpunished. Only one in five respondents (21%) say the same is true for ordinary citizens (Figure 3).
- The view that officials who break the law usually go unpunished is more common among more educated respondents, ranging from 48% of those with no formal schooling to 76% of those with post-secondary education. Urban residents (69%) and men (68%) are somewhat more likely to feel this way than rural residents (63%) and women (62%) (Figure 4).
- A majority (57%) of Kenyans say they trust the courts "somewhat" or "a lot." As shown in Figure 5, trust levels decline with increasing education, ranging from 66% among those with no formal education to 52% among those with post-graduate qualifications. Trust is more common among rural than among urban residents (60% vs. 50%).

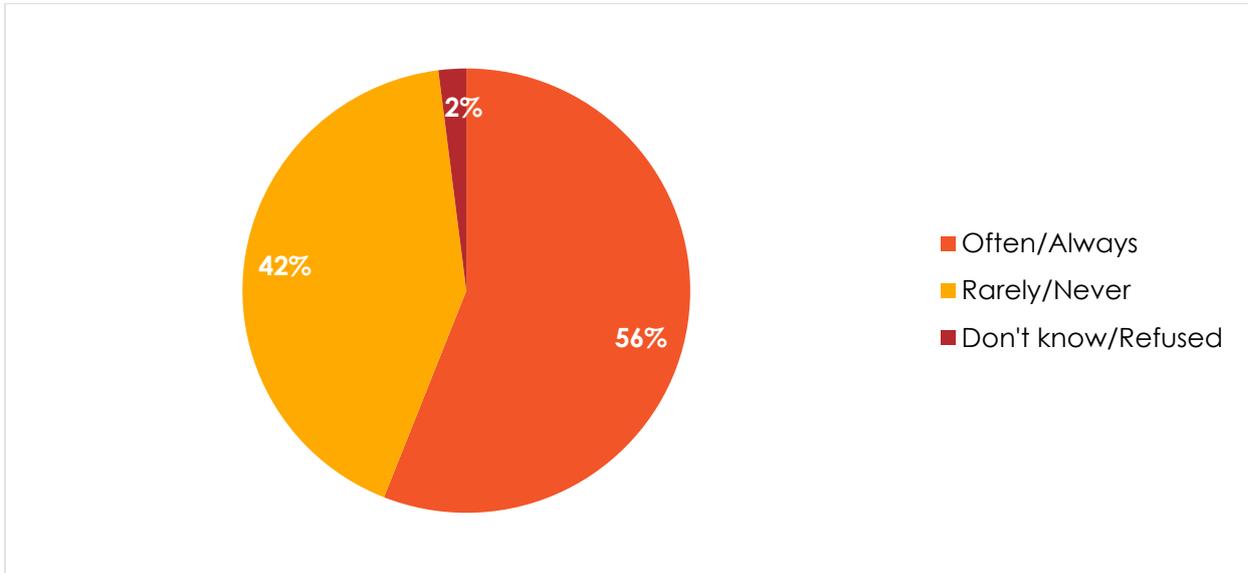
Afrobarometer surveys

Afrobarometer is a pan-African, non-partisan research network that provides reliable data on African experiences and evaluations of democracy, governance, and quality of life. Seven rounds of surveys were conducted in up to 38 countries between 1999 and 2018, and Round 8 surveys (2019/2020) are planned in at least 35 countries. Afrobarometer conducts face-to-face interviews in the language of the respondent's choice with nationally representative samples.

The Afrobarometer team in Kenya, led by the Institute for Development Studies, University of Nairobi, interviewed 2,400 adult citizens of Kenya in August-September 2019. A sample of this size yields country-level results with a margin of error of +/-2 percentage points at a 95% confidence level. Previous surveys in Kenya were conducted in, 2003, 2005, 2008, 2011, 2014, and 2016.

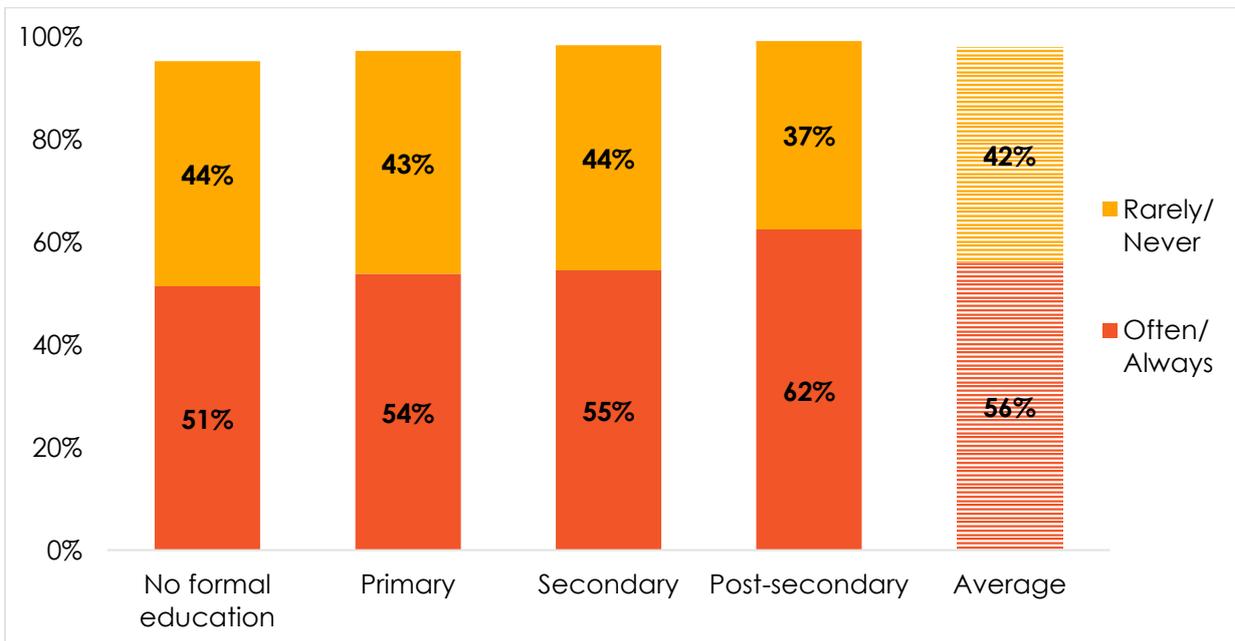
Charts

Figure 1: Unequal treatment under the law | Kenya | 2019



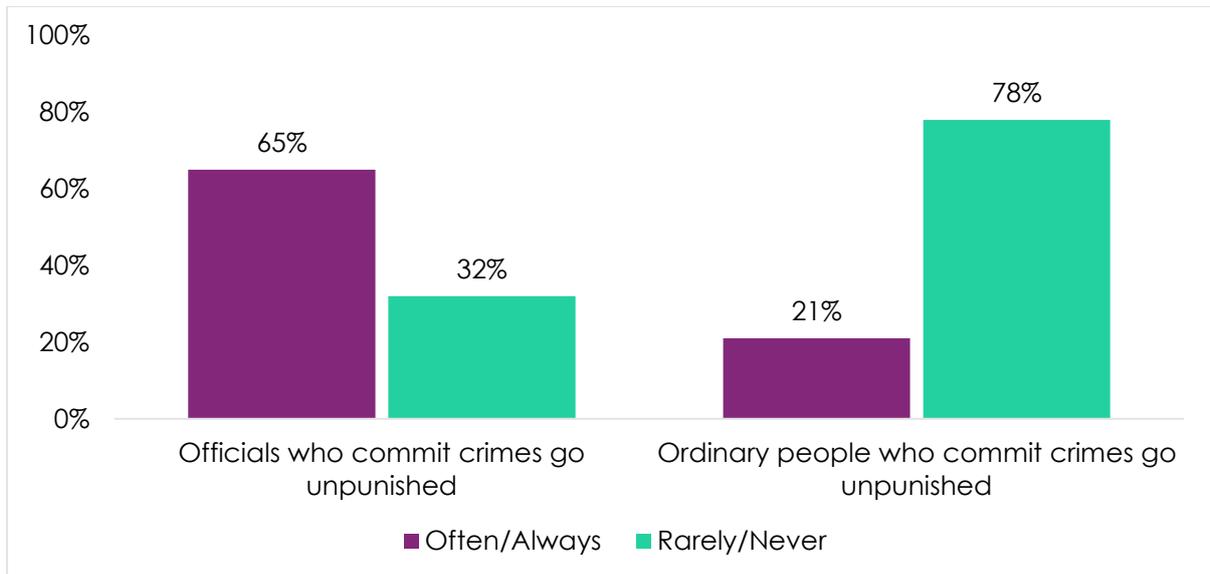
Respondents were asked: In your opinion, how often, in this country, are people treated unequally under the law?

Figure 2: Unequal treatment under the law | by education level | Kenya | 2019



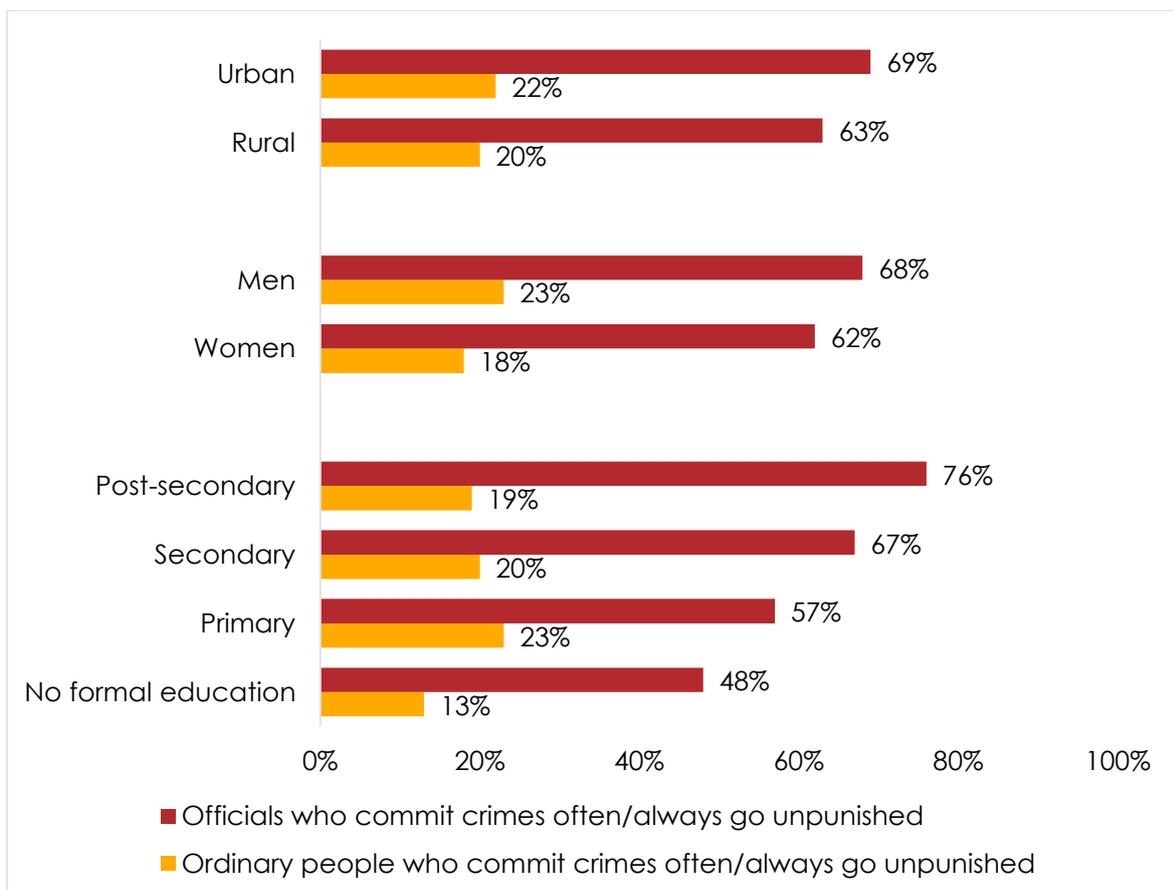
Respondents were asked: In your opinion, how often, in this country, are people treated unequally under the law?

Figure 3: Impunity for officials vs. ordinary citizens | Kenya | 2019



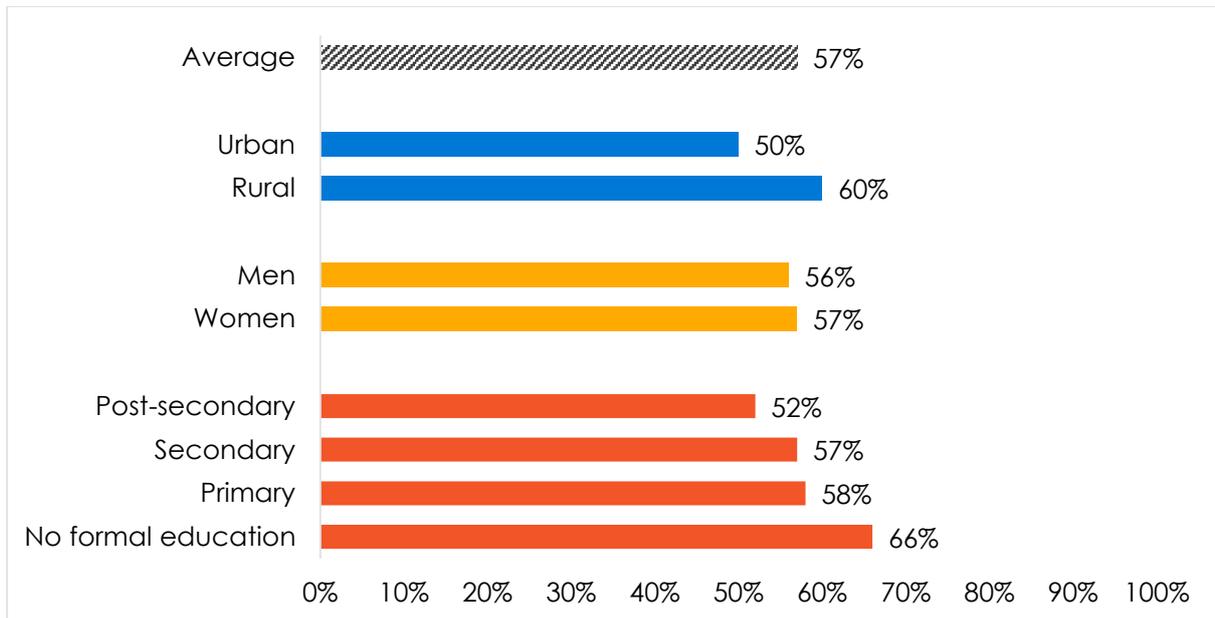
Respondents were asked: In your opinion, how often, in this country: Do officials who commit crimes go unpunished? Do ordinary people who break the law go unpunished?

Figure 4: Impunity for officials vs. ordinary citizens | by socio-demographic group | Kenya | 2019



Respondents were asked: In your opinion, how often, in this country: Do officials who commit crimes go unpunished? Do ordinary people who break the law go unpunished? (% who say "often" or "always")

Figure 5: Trust in courts of law | by socio-demographic group | Kenya | 2019



Respondents were asked: How much do you trust each of the following, or haven't you heard enough about them to say: Courts of law? (% who say "somewhat" or "a lot")

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