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Determinants of Sustainable Implementation of Witness Protection Programme in Kenya: A Case of Mombasa County

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Abstract:

Witness protection programs are strategic interventions adopted by specific governments to ensure perpetrators of crimes are charged and convicted. That currently in the world, crimes are on the high rise due to a number of reasons like economic crisis, competition for the limited resources, terrorism, civil unrests and violent movement organization that want to drive their criminal agenda. There are rising trends of the perpetrators of these crimes going unpunished, this is because they scare away the witnesses and sometimes the judges. Prosecution of serious and organized crimes has become a challenge since crucial witnesses and victims fear for their life's and that of their families. That it is the responsibility of every state to provide security to its citizens and to ensure that the perpetrators of crimes are arrested and charged before the court of law. Kenya has seen an upsurge in violent terrorist attacks like the Bella Vista attack, Mpeketoni attacks among others. Furthermore, we have also had high profile murders whose investigations have not been completed, this is because people fear being listed as witnesses. The Witness Protection Programme exists with the object and purpose of providing the framework and procedures for giving special protection on behalf of the state to persons in possession of crucial information and who are facing potential risk or intimidation due to their cooperation with the prosecution and other law enforcement agencies. Witness protection programme outlines much importance of protecting witnesses as fundamental human right as supported by various instruments of both international and national law in the administration of justice. This study was carried out to examine the determinants of sustainable implementation of the witness programme in Kenya with a specific focus on Mombasa county. It was guided by four objectives that include: To establish whether staffing capacity influences sustainable implementation of the witness protection programme in Kenya; To examine whether financial investment by the National government influences sustainable implementation of the witness protection program; To examine whether legal frameworks influences sustainable implementation of the witness protection program in Kenya; and to examine whether public awareness and knowledge influences sustainable implementation of the witness protection programme in Kenya. The study was guided by two theories. The planned behavior theory and the Routine activity theory. This study adopted a descriptive research design and targeted 93 key informants. The researcher adopted a population census to include all the 93 key informants as the sample population for the study. Data was collected using a structured questionnaire. Permission was sought from the respondents, the university and the relevant bodies within the county before issuing the questionnaires. The data collected was sorted and coded into a computer. Then the data analyzed and the presentations done by use of frequency tables and in a descriptive nature. This analysis was facilitated by use of SPSS software. The Chi-square was used to test the hypothesis.

Keywords: Staffing capacity, sustainable implementation, staffing capacity, financial investment, legal frameworks and public awareness and knowledge

1. Introduction

1.1. Background to the Study

That currently in the world, crimes are on the high rise due to a number of reasons like economic crisis, competition for the limited resources, terrorism, civil unrests and violent movement organization that want to drive their criminal agenda. For example, the Crime Index for Countries across the world in 2018 indicate that, in almost all the countries the crime index rate increased by a given figure while the safety index went down including in the safest countries like Japan. In the list of

crime indices among the top 20 countries where Kenya features, the leading country is Venezuela with a crime index of 82.59%, followed by: Papua New Guinea (79.95%), Honduras (78.89%), SA (75.71%) among other countries with Kenya being at 59.77 % (Numbeo, 2018).

Organized criminals like the American Mafias make it very difficult for justice to be guaranteed to the victims since they scare away witnesses from attending courts to give evidence against their actions. This is very expensive when it comes to very strong networks like the drug barons, the weapons smugglers, terrorists, and political movement; calling for urgent protection of the victims and their witnesses so that they can be given justice (Mayyasi, 2017). However, studies have shown that the adoption and implementation of witness protection programs has been influenced by a number of factors which run from: the poorly laid down policies, strategies, infrastructure, poorly trained personnel, corruption, and lack of trust, political inclination, and religious radicalization among other factors.

Goldschein and McKenna (2017) for example have asserted that in the USA there are 13 criminal groups that have given the various bodies including the Federal Bureau of Investigation hard times to trace, and the evidence to arrest them is not guaranteed since the witnesses are intimidated, killed or abducted and used as either sex slaves or any other form of abuse. FBI (2018) has outlined the importance of strengthening the witness protection programs in the areas that are most affected by the strongest gangs in the country. According to the report, currently, one of the most well-known of the "Sureño" gangs in Southern California, the 18th Street Gang is said to be responsible for at least one robbery or assault a day in Los Angeles County. The gang is one of the most rapidly expanding criminal groups in the country, with a reach that extends across 32 states, from Maryland to Hawaii. Though loosely connected, the gang is thought to be the largest street gang in California, with roughly 15,000 members. 18th Street gangsters have been linked to homicide, extortion, alien smuggling, drug smuggling, and auto theft. They have also infiltrated the U.S. military. In the USA therefore, the FBI (2018) has asserted that lack of trust among the military and other law keepers and widespread of street guns that reach the street gangs as supplied from the various law enforcers illegally has significantly influenced the implementation of sustainable witness protection programs.

Being the fourth ranked worldwide in terms of high crime rates at 75.71% index, South Africa has figures indicating that in Soweto, at least two families are abused and threatened by gangs each day. Some face psychological torture that eventually leads to psychosomatic disorders and maladjustments. The criminal gangs are very organized and since 2009 they have changed their tactics whereby they collude with the police and other municipal law enforcers to threaten and even kill the foreigners; more specifically the Zimbabweans. This rose drastically in 2016-2017 whereby these gangs committed a number of xenophobic executions whereby the foreigners were attacked in violent wars and almost all their properties being burnt down or stolen or both (UNHCR, 2017). In fact, UN (2017) has indicated that, SA as a newly established country after the apartheid continues to be hit by issues surrounding the abuses towards the various non- South Africans especially those from Zimbabwe. This has forced the government to adopt a number of measures of dealing with such criminal acts by strengthening the witness protection program for example.

However, the reports indicate that the adopted programs have not been successful in terms of implementation. The implementation of sustainable witness protection programs in South Africa is faced by a number of challenges that range from; poorly trained personnel, mist-trust between the locals and foreigners, poor institutions, poor police conduct, poor policies to lack of financial resources (Human Rights Watch, 2018a). Also, the program is faced with the challenge of achieving much trust as it is viewed as a witch hunt among the community members and feel that it targets the local south Africans as opposed to the immigrants more specifically those from Zimbabwe.

In the vast East Africa region, Tanzania took a nineteen rank worldwide in terms of criminal activities and crimes committed (Numbeo, 2018). According to Katepanz (2017), the threat of crime in Tanzania is considered critical, specifically in the more urban regions of Dar es Salaam and Arusha. Nighttime robberies, assaults, street crime, carjacking and home invasions are all common criminal offenses. As of 2017, the homicide rate was 10.52 people murdered for every 100,000 Tanzanians. The most recent report on crime rates of the United Republic of Tanzania was produced in 2018. For every 100,000 people at that time, there were 13.05 offenses of rape, 16.05 aggravated assaults, 5.15 robberies, 92.22 crimes of burglary, 1.75 motor vehicle thefts and the rate of larceny was 82.15 for every 100,000 people. The rate of overall offenses in the year 2017 was 307.32 per every hundred-thousand Tanzanians. This called for urgent measures to curb the rising rates of criminal activities; calling for such radical measures like witnesses' protection and justice assurance to the victims (Katepanz, 2017). However, a report by the Republic of Tanzania (2017) has shown that numerous challenges surround the whole process of protecting the people with vital information that could help in tracing and arresting criminals. The challenges range from poor polices, ill-informed public on issues touching on witness protection, poor knowledge among the victims of abuse, fear of more abuses by crime perpetrators, poor trained personnel etc (Dan, 2017).

In Kenya, the history of witness protection is contained in the Witness Protection Act of 2006 that proposed a number of witness protection regulation. Although these regulations were revoked in 2008, they formed a basis of the witness protection regulations of 2011 that were previously inserted as act of parliament to compliment the constitution of 2010 and later on were fully adopted in 2015 (Republic of Kenya, 2015). According to BBC Report of 2017, the witness protection programme is a very vital element of today's justice in Kenya but its sustainable implementation has been faced with numerous obstacles.

Odongo (2014) for example notes that, one of the major problems facing the Agency in charge of implementing the witness protection programme is inadequate funding from the government. This is followed by challenges like, poor public awareness (Although set up in 2011, most people are not aware that there exists a witness protection program in Kenya or even the Witness Protection Agency. This lack of awareness means that any witness who is in danger but is not aware of the Agency is locked out of the protective mechanisms available), most members of the public misunderstand this mandate of the Agency, decentralization shortfall (currently the Agency has only one Public Affairs Office, which is located in Nairobi. Its Operations Officers are therefore forced to set up mobile offices while visiting various parts of the country. The absence of permanent offices makes the public question the presence of the Witness Protection Agency. In cases where an individual residing outside Nairobi seeks to access the office, it becomes a complicated subject) etc.

Makokha (2017) asserts that in Kenya there is an urgent need in strengthening the agencies in charge of witness protection due to the nature of crimes, evolution of tactics used by criminal perpetrators, extent of threats, extent of abuses, non-compliance to the 2010 constitution by various bodies (either formerly recognized bodies or criminal gangs) and many other psychometric tortures. In this study, Makokha has shown that the major threats to witnesses protection in Kenya include: the famous drug barons (people like the Akasha brothers and others) who are well connected across the globe with a number of them having been elected into senior positions in the government (County and National Governments), government officials who perform sloppy deals with various gangs, a number of people serving in the forces (the police, the prisons and the army), a number of senior businessmen who evade tax payment, money laundering gangs, car smuggling gangs, minerals smuggling gangs, cattle rustlers, hit men and many more.

1.2. Statement of Problem

According to Public Safety Canada (2017), witness protection programs serve many purposes in the world today. They provide opportunities for victims and witnesses to participate in a criminal process with the expectation that they and their families will not be put in danger. WPP also provides assistance, support and security for victims and witnesses in criminal justice system. Also, they offer the hope of accountability and give threatened witnesses a way to seek shelter from the scene of victimization. Witness protection provides a space in which individual traumas may be treated and enables a victim/witness to regain more control over their life. Furthermore, it WPP is a key tool in addressing and preventing serious and organized crimes. For these reasons, witness protection programs must have a good foundation in legislation or policy and must be sustainably implemented.

Despite the fact that WPP is very important, its sustainable implementation in developing countries still remains a challenge. For example, in Kenya, studies have shown that a number of efforts have been made by various bodies to ensure sustainable implementation of the WPP, but its performance is very poor as indicated by non-conviction of perpetrators of major crimes, high rates of human rights violations, torture and even non-prosecution of these cases at all; due to lack or fear by the witnesses (Amnesty International, 2017). In the periods 2013-2016 for example, over 3600 witnesses were killed in Kenya despite the fact that there has been the witness protection programme since 2006, which is run by a specific agency created by the Kenyan government and the constitution of Kenya (2011). This has not only raised criticism from the local human rights activists but it has been an international outcry. These bodies and organizations have been allocating huge sums of money towards the implantation and sustainability of various protection programmes towards the victims of various abuses and their witnesses but their deaths have been mysterious.

The challenge facing witness protection in Kenya is that scholars, corporate organizations, NGOs, researchers, human rights organizations in a way fear or have not done much researches on this topic due to the number of risks involved. In fact, there are only three documented researches that have focused on crime protection. These studies have been done by Amnesty International (2017) and Odongo (2014). However, these studies have only mentioned the witness protection in Kenya being poor despite the fact that it is well defined in the constitution and various government regulations. They have totally shied off from addressing the sustainability determinants of this program or what causes this poor and unreliable implementation of the proposed witness protection measures in the country, which include: change of identity, relocation, use of the witness box in courts and provision of armed protection to threatened witnesses. In this realization such a research is brought fore. The research therefore was carried out with the aim of examining the determinants of sustainable implementation of witness protection programme in Kenya; with a specific focus to the county of Mombasa.

1.3. Purpose of the Study

The purpose of this study was to examine the determinants of sustainable Witness Protection Programme implementation of in Kenya; a case of Mombasa County.

1.4. Objectives of the Study

This study was guided by four objectives:

- To establish whether staffing capacity influences sustainable implementation of the witness protection program in Mombasa County, Kenya.

- To examine whether financial investment by the National government influences sustainable implementation of the witness protection program in Mombasa County, Kenya.
- To examine whether legal frameworks influences sustainable implementation of the witness protection program in Mombasa County, Kenya.
- To examine whether public awareness and knowledge influences sustainable implementation of the witness protection program in Mombasa County, Kenya.

1.5. Research Questions

The study was guided by the following research questions:

- What is the influence of staffing capacity on sustainable implementation of the witness protection program in Mombasa County, Kenya?
- What is the influence of financial investment by the National government on sustainable witness protection program implementation in Mombasa County, Kenya?
- What is the influence of legal frameworks on sustainable witness protection program implementation in Mombasa County, Kenya?
- What is the influence of public awareness and knowledge on sustainable implementation of the witness protection program in Mombasa County, Kenya?

1.6. Research Hypotheses

The study aimed at testing the following hypothesis at 95% levels of confidence.

- H_1 : Staffing capacity influences sustainable implementation of witness protection program in Mombasa County, Kenya. H_0 : Staffing capacity doesn't influence sustainable implementation of witness protection program in Mombasa County, Kenya.
- H_1 : Financial investment by the National government has an influence on sustainable witness protection program implementation in Mombasa County, Kenya. H_0 : Financial investment by the National government has no influence on sustainable witness protection program implementation in Mombasa County, Kenya.
- H_1 : Legal frameworks influence sustainable witness protection program implementation in Mombasa County, Kenya. H_0 : Legal frameworks don't influence sustainable witness protection program implementation in Mombasa County, Kenya.
- H_1 : Public awareness and knowledge influences the implementation of sustainable witness protection program in Mombasa County, Kenya. H_0 : Public awareness and knowledge doesn't influence the implementation of sustainable witness protection program implementation in Mombasa County, Kenya.

1.7. Significance of the Study

This study shall be beneficial to the judiciary by getting relevant information on what has been hindering sustainable implementation of the proposed witness protection programme. The judiciary will be able to understand why witnesses become hostile or fail to attend court. Further, the judiciary shall get information of the state of witness protection programme locally and internationally and finally the need to have protection orders in place for cases with public interest, at the end of the day be able to plan a head against some cases more specifically those cases that are unique and have major implications to the witnesses, victims and the society at large.

The agencies mandated by the government and other bodies to implement the witness protection programme in the country will be able to get the first-hand information on some of the factors influencing the implementation of these programme. Later on, they will be left with the option of either addressing some of these issues and see the programme being a success or adjust to match with the proposed objectives and meet them easily.

Last but not least, data obtained in this survey and recommendations drawn therein are expected to be beneficial for further investigation for academic purposes, and added literature to an already existing knowledge base.

1.8. Basic Assumptions of the Study

This study was carried out with the assumption that the information which was provided by the respondents was true and valid enough to make reasonable conclusions that could be used for decision making. This assumption held during throughout the study period. Another assumption that guided this research was that, the four independent variables as outlined in study objects had an influence on the implementation of sustainable witness protection program in Mombasa county; an assumption that held.

This study also had an assumption that the questionnaires could be filled correctly, and could give the real required information without any bias and subjectivity. Also, all the target population could participate in this study without undue pressure. These assumptions also held throughout the study.

1.9. Limitation of the Study

This study was limited by time and financial resources. The researcher works in a very busy organization and in a way, the researcher found it difficult to have enough time for the research work, link with the supervisor and to write the proposal. However, the researcher made use of the weekends and the public holidays that fell within the period of the research. Also, the researcher found it expensive dealing with the various logistic issues associated with thesis development, data collection and interpreting. However, the researcher request friends and family members to support him where necessary.

1.10. Delimitation of the Study

This study delimited itself by using a questionnaire as the main tool of data collection. It also had the questionnaire prepared in relation to the four objectives outlined above. Besides, the research delimited itself by picking its target population from the office of the public prosecution, the police, the witness protection agency and a few bodies involved in the implementation of the witness protection programme in the country. Also, the research chose the location of study to be Mombasa County only and its research instruments was prepared based on the four independent variables outline in the research objectives.

1.11. Definition Of Significant Terms

1.11.1. Financial Investment

This is the amount of money allocated by the National Government for the sustainable implementation of the witness protection programme.

1.11.2. Legal Frameworks

This is the laid down laws and regulations by various countries that guide the implementation of the sustainable implementation of the witness protection programme.

1.11.3. Protection Officer

Means a person appointed by the witness protection Agency to handle and protect the Witnesses

1.11.4. Protection Act

This is an act of parliament containing laws and regulations governing witness protection in Kenya.

1.11.5. Staffing capacity

The number and ability of the employees of an organization to execute their mandate effectively and efficiently

1.11.6. Witness

This term will be used to mean, a person with crucial information about a commission of a crime.

1.11.7. Public Awareness and Knowledge

This is the ability of the citizens to know the availability of the witness protection program and its relevance.

1.12. Organization of the Study

The study is organized into five sections comprising of chapter one, chapter two, chapter three, chapter four and chapter five. Chapter one is the introduction which comprises of the background of the study, statement of the problem, the objectives of the study, the research questions, and study hypothesis, significance of the study, limitations of the study, delimitation of the study and finally definition of significant terms. Chapter two contains introduction to literature review, the concept of sustainable program implementation, literature review, theoretical framework, conceptual framework, knowledge gap and study summary. Chapter three contains introduction to research methodology, research design, target population, sample size and sampling procedure, data collection instruments, validity and reliability of research instruments, pilot study, data collection procedure, ethical considerations, data analysis techniques, and operationalization of the variables. Chapter four presents data analysis, data presentation and interpretation. Chapter five presents summary of findings, discussions, conclusions, recommendations and suggestions for future study area.

2. Literature Review

2.1. Introduction

This chapter presents the literature review as presented by other researchers across the globe and in the country. It has started by explaining the concepts of programme implementation, empirical literature review, the theoretical framework and finally the conceptual framework.

2.2. The Concept of Sustainable Witness Protection Programs Implementation

According to Durlak (2017), sustainable implementation of a program is the ability of converting the program ideas into reality. It's the ability of transforming the plan into activities and involves processes that are determined by a number of factors. For 100% transfer of the ideas into reality (implementation of a program), there should be a number of resources that need to be input. The resources here include human resources, financial resources, time resources and other invisible resources like the program plan the normally comes from an envisioned team of leaders. According to World Bank monitoring and evaluation tool of 2015, a program has four components that need to be considered. The components include: projects within it that have specific timeframes and budgets, the sustainability element, community ownership and the accountability concept.

According to this report therefore, for a program to be sustainably implemented, there must be some periods where some activities must be completed (projects), the financial resources that are going to be consumed, giving back and satisfying the community and ability to serve the current purpose while taking care of the future without any destruction or fail (World Bank, 2016).

According to Government of Canada (2016) witness protection programs are vital across the globe. According to this report, there needs to be well laid policies and regulations that guide sustainable witness protection program implementation since it is a cumbersome. The study argues that for witnesses to be protected effectively and efficiently, there must be policies, rules and plans that are aimed at sustainably implementing a number of continuous programs to address this.

2.2.1. Staffing Capacity and Sustainable Implementation of Witness Protection Program

For any organization to achieve its goals there must be people who are ready to adopt and implement the specific deliverables enshrined in these goals (Durlak, 2017). These people are what we call employees of an organization. According to World Bank (2017), the qualities of employees of an organization significantly influence the rate at which this organization achieves its objectives. The World Bank report has focused on four areas where an organization must focus on in order to have its employees achieve much better results in any given organization that include: the experience of the employees, the number of the employees, the amount of knowledge and skills acquired and the energy (motivation levels of these employees).

Melissa *et al* (2015) did a study on witness protection in Vietnam. In their finding, they asserted that sustainable witness protection programme implementation is significantly influenced by the employees' capacity. According to this report, majority of the respondents in the interview supported the idea that the lack of enough employees for witness protection, lack of qualified protection officers and lack of enough facilities to train these officers influences the rates at which witnesses are protected in the country since it has a direct influence towards sustainable witness protection programs implementation. Similarly, the National Assembly of Vietnam (2015) filled a report in 2015 showing that in 2008, the victims of war, torture and abuse could not get their justice since most of the witnesses failed to be protected and were executed in mysterious circumstances. The main challenge of witness protection in this country include poorly trained witness protection officers, lack of enough protection officers and at times protection officers with very poor knowledge, education background and protection skills.

Being the youngest nation in Africa and having moved from one civil war to another, Southern Sudan has been ranked as one of the countries that have poor witness protection programme. According to Human Rights Commission (2017), in 2016 -2017 alone, over 879 witnesses of various cases were killed across the country, most of them being in the Juba region. These witnesses were those who were predestined to testify against various crimes against humanity committed by the warring troupes. The Human Rights Commission indicated that a number of violations of the human rights and witnesses are a result of failed witness protection program implementation. This is caused by a numerous factor among them lack of qualified and well-trained personnel. Also, the witness protection programs are said to have failed due to much intense mistrust between the war loads.

Kiprono, Wokabi and Kibet (2015) did a study that focused on, Gaps Influencing Implementation of the Witness Protection System in Kenya. From the study, a majority of the interviewed informants revealed that one of the major challenges facing the roll out of the witness protection programme in Kenya is inadequate staffing capacity. It was notable that there are few experts available in the field of Witness Protection in Kenya. From those who were interviewed 27% of the respondents had that there are no professionally trained staffs to man the programs. Various factors were attributed to have affected availability of staffs. One respondent mentioned that the staffs available were drained from or seconded by various governmental departments with no clue on the program and they are mostly civil servants and/or government employees; inadequate fund to engage technical skilled persons; lack of training institutions for learning; inaccessibility of the staffs; the number of experts and staffs isn't known while one claimed that awareness has not been widely done to the public.

United Nations Office on Drugs and Crime (2017) also did a study in Kenya between 2015 and 2017. The findings from this study indicated that witness protection program in Kenya has been poorly implementation. The findings underscored that the capacity of the WPA to fully undertake its mandate is constrained by lack of adequate financial and human resource expertise base. Other issues cited include shortage of technical staff; lack of staff with specific witness protection advisory skills; few experts available; and lack of professionally trained staffs to man the programme since it's a new concept in Kenya. Equally, the CNN (2018) report indicated that in Kenya a number of employees under the witness

protection program are few, they don't understand the whole concept and from time to time they don't have proper training on the matter.

2.2.2. Influence of Financial Investment On Sustainable Witness Protection Program Implementation

Ina (2016) did a comparative study in the Latin America between 2009 and 2014 on the state of witness protection and justice to the poor. The study involved 5 countries and the respondents to the study were people who had been abused by various drug load organizations and had not got their justice despite the fact that they had sought legal address to their issues. In the study where 789 respondents participated, it was discovered that majority of the respondents argued that they had not achieved the anticipated justice due to poor witnesses' responses in courts due to fear or intimidation. A number of reasons were cited to be encumbering the implementation of the various proposed witness protection programs sustainably in the Latin America countries; central of them being lack of enough funding to these programs. Rep (2016) asserts that the sources of finances for witness protection, the time taken for this money to be released, the amounts allocated among other significantly influence the implementation of the witness protection program sustainably.

Kariri (2015) did a study in five African countries (DRC, SA, Nigeria, Tanzania and Burundi) and asserted that financial resources investment has an influence on the implementation of sustainable witness protection programs. According to her findings, the amount of money allocated to witnesses protection programs are limited and at times are not released because majority of the mega crime perpetrators are senior government officials or people who are connected well with the government. The findings further indicate that human rights violation, torture and murder of innocent people goes on as normal, more specifically during political times, and the victims are always left with no justice since the perpetrators have completely killed the witness protection agencies for selfish gains.

According to Jemima (2016), witness protection program in Africa has faced numerous challenges and central of them is the lack of sufficient financial resources or funding at all. In Guinea and Kenya for example, the sources of the witness protection program are not well structured. This has left the countries lack the ability to achieve the international set standards for witness protection. Some of the challenges are very intense to the point that these programs are in its knee point since much of the funding come from the government; the same government that harbors numerous crime perpetrators. According to Harmon (2017), Kenya has failed to achieve the protection program fully since there are limited financial resources and constrained sources of funding. According to him, the country lacks enough funds to hire specialized experts who fully understand the process of witness protection, the country lacks funds to acquire the various infrastructures and equipment meant for better confidence and protection of the witnesses, the country lacks proper offices, defined locomotives and many more.

2.2.3. Influence of Legal Frameworks on Sustainable Witness Protection Program Implementation

Harmon (2017) notes that, for any programme to succeed in any country or region, it must be supported by recognized and well laid down rules and regulations that in most occasions must be enshrined in the country's constitution. In fact, the policies in a country are very central in sustainable implementation of the various witness protection programs because the program is very sensitive, it requires many resources, trust and from time to time it faces much opposition from wealth and corrupt citizens. Piotr (2016) asserts that among the European union, a number of countries have legislations that govern the witness protection programs enshrined in the constitution while others have their rules and regulations enshrined in acts of parliament.

Jemima (2016) asserts that, in Africa there are no well-defined laws that govern sustainable witness protection program implementation leaving to unscrupulous individuals who are working towards making quick cash out of it. In this study that was carried out in over 5 African countries, it was noted that some countries like the DRC do not have formal laws that govern the vulnerable witnesses that are aimed at giving evidences on a number of crimes committed to the citizens. In conclusion, she has noted that the laws in Africa are made by individuals who are very strong and have much more criminal records and therefore never have any good will in protecting the witnesses. The laws in Africa are actually one sided and tend to favor the criminals so long as they have money or have better connections.

Kariri (2015) has shown that despite the fact that Africa countries are performing poorly in implementing the WPP sustainably, globally, the importance of witness protection is recognized through various legal regimes, policies and declarations. For example, both the United Nations (UN) Convention against Corruption, and the UN Convention against Transnational Organized Crime (UNTOC) and its protocols call upon states parties to provide protection and support of witnesses and victims. The UNTOC also calls upon each state party to provide effective protection from potential retaliation or intimidation for witnesses and experts who give testimony. " The Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, adopted by the UN General Assembly in 1985, and the UN Economic and Social Council Resolution 2005/20, also include provisions for witness protection. Similarly, international criminal tribunals and special courts also have provisions geared towards the protection of witnesses. These include the International Criminal Court at The Hague (ICC), the International Criminal Tribunal for the Former Yugoslavia and the (ICTY) and the International Criminal Tribunal for Rwanda (UN, 2016).

Domestically, Kenya has put in place various Constitutional provisions and legislations to necessitate sustainable protection of witnesses. For instance, article 50 of the Constitution of Kenya, 2010 outlines the principles of fair hearing. Article 50 (1) of the Constitution provides that every person has the right to have any dispute that can be resolved by the application of law decided in a fair and public hearing before a court or, if appropriate, another independent and impartial tribunal or body. The most important legislation on the protection of witnesses is the witness protection (Amendment) Act which establishes the Witness Protection Agency.

The policies governing the witness protection program in Kenya have evolved since 2006 to date. According to UN (2017) for example, the history of witness protection is contained in the Witness Protection Act of 2006 that proposed a number of witness protection regulations. Although these regulations were revoked in 2008, they formed a basis of the witness protection regulations of 2011 that were previously inserted as act of parliament to compliment the constitution of 2010 and later on, were fully adopted in 2015 (Republic of Kenya, 2015). Despite the fact that Kenya has wonderfully laid down rules and regulations in its constitution in relation to witness protection, the country has been losing hundreds of thousands of witnesses and other victims who could otherwise be protected by and given justice (BBC, 2017).

2.2.4. Public Awareness and Knowledge's Influence on Sustainable Implementation of the Witness Protection Program

Witness protection programs are very new in a number of countries; owing to the fact that some countries adopted the practice in the 21st century. The concept of protecting the witnesses against major cases has not sunk well in the minds of most citizens of many countries making the whole exercise futile (Isuri, 2017). In Ecuador for example, the concept of witness protection is normally confused with police custody or detention or both (Latin America & Caribbean Law Initiative, 2018). This is majorly contributed by the fact that a great number of the citizens are illiterate and the government policies have not clearly separated the witness protection program from other police related protections. This is true in Latin America countries, where only 17% of the population in countries like Venezuela is aware of the witness protection program with only 13% of this having a complete knowledge and understanding how this works (Bolivarian Republic of, 2016).

In his study in Australia, Brouwer (2016) has mentioned the importance of public awareness and information in criminal justice system. According to him, the communication, the information and the awareness creation by the criminal justice systems significantly influences the implementation of the witness protection program sustainably. In this study where over 5 bodies were contacted with over 250 respondents taking part in the study, it was discovered that when the witness program is well communicated to the victims of various crimes, when there are sanitization information through all channels of communication and where the communication is structured in a way that it reaches the victims of crimes in a protected manner, their participation in the witness protection is assured; influencing the implementation of the program sustainably. A report by the UN (2017) has indicated that there is need for the international media, the government and the local media, the NGOs, the CBOs, the FBOs, the teachers, judges, police and other stakeholders to inform the victims of abuse on the importance of the witness protection units in sub-Saharan Africa. In Nigeria for example, despite the prolonged humanitarian abuses and attacks by illegal gangs and bodies like Boko Haram, the victims never access their justice due to fear of being attacked by the law breakers if they testify against them in the courts. This is majorly contributed by the fact that a number of these victims and their witnesses don't have the necessary awareness of the presence of the WPPs and their deliverables. For the few who are aware of the WPPs, they normally confuse them with the activities performed by the police or the army.

Friedman (2015) asserts that the police awareness of witness intimidation issues is one of the factors that frustrate sustainable witness protection program implementation in Africa. The police are aware of the intimidation towards the witnesses but choose to side with the criminals or the perpetrators of evil due to fear or coercion or selfish interests like taking bribes. Brouwer (2016) has confirmed the importance of police being aware of witness protection and selling the idea to the public.

Mahanamahewa (2018) argued that many people in North and East, and the Southern part of Sri Lanka are not aware of the laws governing witness protection. In a study that focused on 588 respondents who were faced with serious crimes between 2015 to 2018 January, only 38 respondents argued that they were aware of witness protection program and only 18 had approached the various witness protection agencies. Isuri (2017) has argued that there is an Act that has been created by the ICC to create awareness to witnesses and the public at large in Africa (Kenya included). However, despite public awareness of the protection which the legal system assures, for the public to engage with confidence remained low in Africa and worst figures were from east Africa countries with Kenya and Burundi leading. Public awareness has to be done mostly through various organizations and institutes, he said, and the UCC is willing to assist with any awareness programs. "It could be awareness programs in small cities and towns, television talk shows or newspaper articles,"

2.3. Theoretical Framework

The study is guided by the Theory of Planned Behavior and the Routine Activity theory. The theory of planned behavior focuses on behavior as a product of cognitive processing of attitudes, perceptions and beliefs, hence very relevant to explain non-cooperative behavior by witnesses. The basic tenet of this theory is that, human behavior is guided by three kinds of basic considerations; "behavioral beliefs," "Normative beliefs," and "control beliefs." In their respective aggregates, "behavioral beliefs" produce a favorable or unfavorable "attitude toward the behavior"; "normative beliefs" result in "subjective norm"; and "control beliefs" gives rise to "perceived behavioral control" (Ajzon, 2002 cited in Mwaeke, 2015). The

Theory of Planned Behavior has thus been widely used, successfully to explain attitudes and behavior (in this case non-cooperative behavior by witnesses), or even to predict such behavior (Friedman und Harvey, 1986 cited in Mwaeke, 2015).

The theory explains the willingness of the witnesses to participate in testifying due to a number of challenges that have led to attitude formation by the witnesses in Kenya. According to Kariri (2015) Kenyan criminal justice process is bogged down by the problem of non-cooperation by witnesses during trials. Factors such as intimidation or death of witnesses without any intervention by law enforcement Agencies, amongst other factors contribute immensely to development of attitudes, beliefs and perceptions among witnesses that the Criminal Justice System institutions have failed and cannot be trusted. These institutions of social control include:

Police, the Courts, and the Correctional institutions. According to this theory, therefore, the Programs and Policies that aim to transform already developed attitudes, perceptions, perceived norms and in making change will have better results.

The Routine activity theory focuses on situations of crimes. It studies crime as an event that closely relates to its environment which also explains the non-cooperative behavior of witnesses. That crime is likely to occur when three essential elements of crime converge in space and time. Motivated offender, an attractive target and in the absence of capable guardianship. The lack of any of the three elements is sufficient to prevent a crime to occur, that requires offender victim contact. This motivates witnesses to testify knowing that they will be secure

Criminologist Lynch (1987) using "Domain specific model" demonstrated that occupation related activities generally have stronger impact on the risk of victimization at work than sociodemographic characteristics. Which explains the willingness of witnesses to testify while in the Witness Protection Program. That the theory has been used to understand the various neighborhood crimes.

2.4. Conceptual Framework

A conceptual framework is a diagram representation of the various variables together with their indicators. The conceptual framework has outlined the relationship between the independent variables, dependent variables, moderating variables and their indicators.

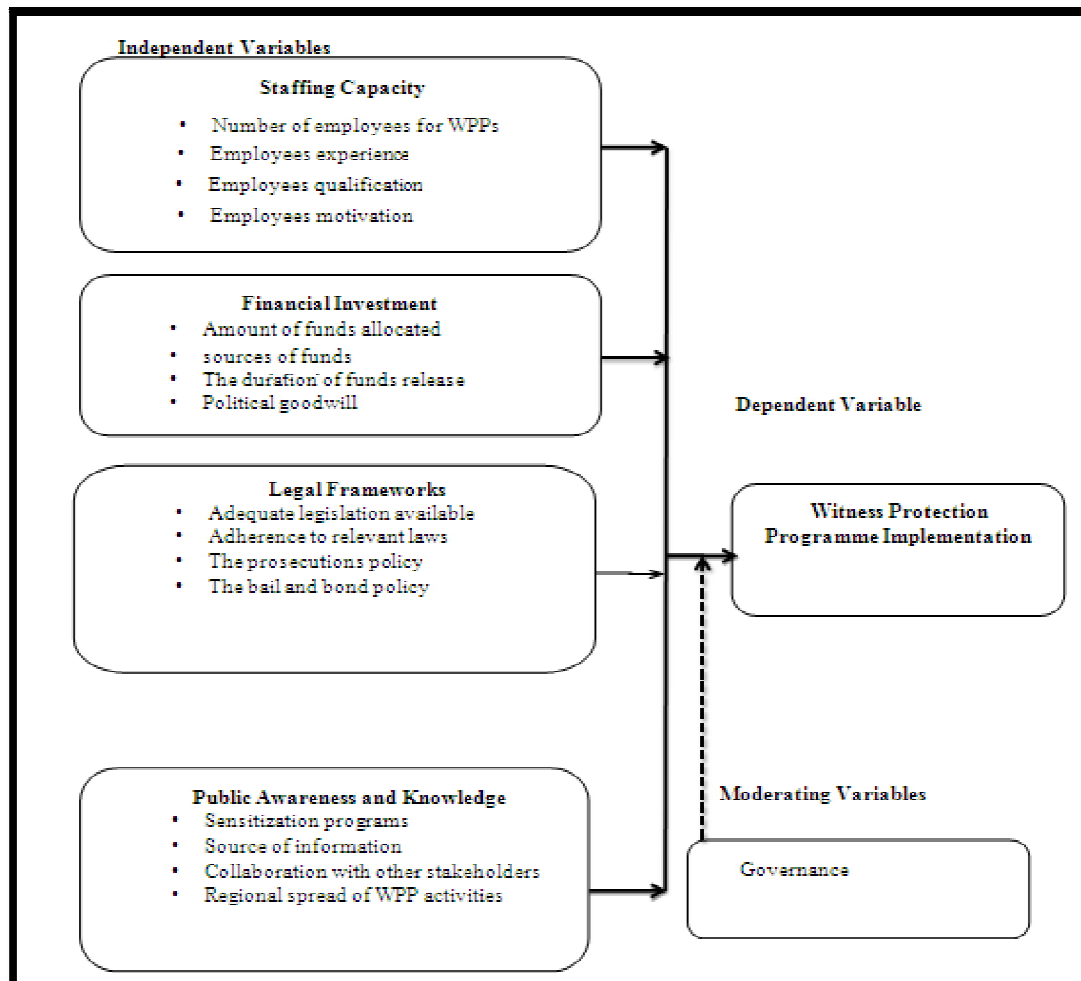


Figure 1: Conceptual Framework

The conceptual framework has shown the interaction existing between the independent and dependent variables. The independent variables in the study include: financial investment, staffing capacity, the legal frameworks and public awareness and knowledge. These variables have a number of indicators below them that are going to be measured in the field. The dependent variable on the right-hand side is the witness protection programme implementation. A slight change in the independent variables influences the dependent variable. There is also the moderating variable of governance for example Corruption and Coercion. The Moderating variable has an influence on WPPs implementation but its literature has not been captured.

2.5. Knowledge Gap

	Researcher	Focus	Finding	Knowledge gap
i	Kariri (2015)	Challenges Facing formalization and development of witness protection programs in Africa	In south Africa, Nigeria and Ghana, witness protection programs are faced with challenges of lack of proper legal and social structures like the judicial system.	This study has not shown how factors like financial investment, employees' capacities, legal frameworks, awareness and knowledge influence the implementation of the witness protection programme in countries like Kenya. Also, they have not shown the role of politics as witnessed in Kenya, where top leaders are faced with serious crimes against humanity in world highest courts like the ICC in Hague.
ii	Mwaeke (2015)	The Problem of Non-Cooperation by Witnesses during Trial of Criminal Cases in Kenyan Courts.	Found out that a number of witnesses never testified because they feared for their lives due to lack of properly instituted witness protection programmes. One major challenges facing the WPP is lack of sufficient funds	Mwaeke has only focused on financial resources as the central determinant of WPP implementation but has not looked at other factors like the country rules and regulations concerning the WPP, the level of awareness and knowledge of the public, the number of trained personnel to implement the programme among others.
iii	Jemima K. (2016).	Transnational Threats to Witness Protection in Africa.	The witness protection programme in Africa is faced with threats of corruption, mistrust, lack of sufficient funding and lack of witness protection champions	The study focused its energy in Soweto slums of South Africa that have completely different forms of organized crimes and criminal gangs as compared to Kenya. Also, the country has a number of external bodies that fund their witness protection programme and have their champions trained overseas unlike Kenya where the programme is in constant bankruptcy and is on the mercy of a few well-wishers.
iv	Kiprono, Wokabi and Kibet (2015).	Gaps Influencing Implementation of the Witness Protection System in Kenya.	The government's non-cooperation trends have crippled the programme in the country. Also, poor funding is an issue that has crippled the programme.	The study was carried out in MT Elgon region that has a very different trend in crimes and criminal composition as witnessed in the Kenyan coast that has been influenced by external terror groups. Equally, the study has only focused on the role of the government (cooperation and funding) and ignored other societal factors like knowledge and awareness about the WPPs.
v	Makokha A. (2017).	Access to Criminal Justice in Kenya	There are no streamlined legal frameworks governing witness protection in Kenya	The study was carried out in Nairobi county. Nairobi county has a very different socio-economic constitution as compared to Mombasa County. Also, Mokakha has not touched on the fundamental determinants of WPP implementation like public awareness and knowledge, financial resources role and the issue of human resource; factors to be addressed by this study.

Table 1: Knowledge Gap

2.6. Summary of Chapter

This chapter consists of the literature review as presented by other researchers in the world and within the country, it explains in detail the concept of sustainable implementation of the Witness Protection Program, the concept of staffing capacity, financial investment and legal framework on sustainable implementation of the Witness Protection Program and the concept of public awareness and knowledge. The chapter contains the theoretical framework which is guided by two theories. The theory of planned behavior and the routine activity theory. The conceptual framework includes the dependent variable, independent variable and the moderating variables. Finally, this chapter provides detailed analysis of the knowledge gap.

3. Research Methodology

3.1. Introduction

This chapter is organized in subtopics and gives the in-depth of the method the researcher shall use to carry out the research. It is divided into: research design, target population, sample size and sampling procedure, research instruments, validity and reliability of the research instruments, data collection procedures, data analysis and operationalization definition of variables.

3.2. Research Design

This study adopted a descriptive research design. According to Mugenda and Mugenda (2013) a descriptive research design is a self-report study which requires the collection of quantifiable information from the sample, and continues to add that, a descriptive research design is easy to manage and administer. The design enables the researcher to quickly collect data from an extensive area and understand the entire population from a sample of it (Kothari, 2003).

3.3. Target Population

Population of the study comprised of 93 key informants from various organs knowledgeable of witness protection program as shown in the table (2 below). These informants were considered from the various strata since they were said to have first-hand information about the WPPs in one way or the other (after having undergone some training and having been allocated similar duties) according to the report in the Directorate of Public Prosecution of Kenya as per the end of January 2018.

Area	Target Population (N)	Percentage
Attorney General Office,	5	5.3 Percent
Law Society of Kenya	10	10.8 Percent
Directorate of public prosecution	5	5.3 Percent
The Kenya police,	25	26.9. Percent
Prison department	14	15 Percent
Witness Protection Agency	14	15 Percent
Judiciary	4	4.5 Percent
Human Rights Body	16	17.2 Percent
Total	93	100 percent

Table 2: Target Population

Source: Directorate of Public Prosecution Report (2018, January)

3.4. Sample Size and Sample Procedure

The section describes the sample size and sampling procedure that was employed in the study.

3.4.1. Sample Size

Due to the sensitivity of the study and the nature of the target population, the researcher could get less response from the field. Therefore, to take care of the non-response, the researcher required targeting a relatively higher population. In this regard therefore, the researcher adopted a population census to adopt all the key informants as shown below:

Area	Target population (N)	Sample Population (n)	Percentage
Attorney General Office,	5	5	5.3 Percent
Law Society of Kenya	10	10	10.8 Percent
Directorate of Public Prosecution	5	5	5.3 Percent
Kenya Police	25	25	26.9 Percent
Witness Protection Agency	14	14	15 Percent
Prison department	14	14	15 Percent
Judiciary	4	4	4.5 Percent
Human Rights Body	16	16	17.2 Percent
Total	93	93	100 Percent

Table 3: Sample Size

3.4.2. Sampling Procedure

This study applied a population census whereby all the respondents with relevant information were picked as shown on the sample table 3 above. Census was preferred for this study because of the sensitivity of the matter under study and the nature of work that the target population carries out on daily basis. This census sampling helped the researcher to reach the population that has the relevant information, had the knowledge and time to answer the questions contained in the instrument of research efficiently and effectively.

3.5. Data Collection Instruments

The instrument of data collection was the use of a questionnaire. The use of questionnaire was the most preferred since the target group was literate and the time of study was limited. The questionnaire included a set of structured and unstructured questions formulated in relation to the study objectives. Questionnaires were expected to enable the researcher obtain results within a considerably short time.

3.5.1. Piloting of the Research Instrument

The structured questionnaire was pretested in the neighbouring Kwale County and purposively selected participants were requested to participate in this study to determine if the items in the research instruments yielded the required data for the final study. The county was preferred because it had relatively higher number cases of social and civil injustice in the coast region. The responses given confirmed that the questionnaires were correct and there was no need of any changes.

3.5.2. Validity of the Research Instrument

Validity is the ability of the research instrument to demonstrate meaningful information. This is the ability of the instrument to measure how well a test measures what it is supposed to measure (Kombo and Tromp, 2009). The researcher constructed a questionnaire which was presented during the defense of the proposal. Suggestions given by the defense panel were incorporated before data collection.

3.5.3. Reliability of the Research Instrument

The reliability of the instruments shall be established using Cronbach's formula by calculating the Cronbach's alpha coefficient. The researcher shall use the Cronbach's Alpha coefficient in order to establish reliability because it is one of the easiest formulas to use and is best suited in social sciences. This shall be calculated using the formula

$$\alpha = \frac{N \cdot \bar{c}}{\bar{v} + (N - 1) \cdot \bar{c}}$$

Where: N = the number of items, \bar{c} = average covariance between item-pairs, \bar{v} = average variance.

The Cronbach's alpha was found to be above 0.8, then the instrument was consistent and, therefore, reliable as recommended by Mugenda & Mugenda (2003).

3.6. Data Collection Procedure

The researcher obtained a letter of transmittal from the University of Nairobi Mombasa Campus introducing him to the respondents. The researcher also visited the CID coast headquarters in Mombasa County to inform them that he was carrying out a study on witness protection and the study was meant for academic purposes only. The researcher then booked appointments with the various respondents and requested for their voluntarily participation. He then trained two research assistants who helped in the distribution of the questionnaire. The questionnaires were distributed and picked after two weeks. Some were emailed to the respondents who were not reachable immediately.

3.7. Ethical Considerations

The researcher-maintained research ethics to protect the participants' dignity. The researcher sought for their consent before administering the research tools and assured them of their confidentiality during the whole process. The researcher also treated the respondents with respect and ensured that the process of drawing information did not disrupt their social statuses.

3.8. Data Analysis Technique

After data had been collected, the responses to the close-ended items in the data collection instrument were assigned codes and labels. Frequency counts of the responses were then obtained to generate descriptive information about the respondents that participated in the study and to illustrate the general trend of findings on the various variables that were under investigation (as facilitated by the use of SPSS version 22.0). This involved the use of percentages and frequency tables and standard deviation tables because, according to Mugenda and Mugenda (2003), they help to summarize large quantities of data whilst making the report reader friendly. The Chi-square was used to test the hypothesis.

3.9. Operationalization of the Variables

This section gave the summary of the research objectives, the independent variables, their indicators and the scale of measure used. This was concluded by the type of analysis that is going to be employees.

Objective	Independent Variable	Indicators	Scale	Types of Analysis
To establish the extent to which staffing capacity influences sustainable implementation of the witness protection program in Kenya.	Staffing Capacity	<ul style="list-style-type: none"> Number employees WPP Employees experience Employees qualification Employees motivation 	Ordinal Scale	Descriptive
To examine the influence of financial investment by the National government on sustainable implementation of the witness protection program.	Financial Investment	<ul style="list-style-type: none"> Amount of funds allocated Sources of funds The duration of funds release Political goodwill 	Ordinal Scale	Descriptive
To examine the influence of legal frameworks on sustainable implementation of the witness protection program in Kenya.	Legal Frameworks	<ul style="list-style-type: none"> Adequate legislation available Adherence to relevant laws The prosecution policy The bail and bond policy 	Ordinal Scale	Descriptive
To examine the extent to which public awareness and knowledge influences the sustainable implementation of the witness protection program in Kenya.	Public Awareness and Knowledge	<ul style="list-style-type: none"> Sensitization programs Sources of information Collaboration with other stakeholders Regional spread of WPP activities. 	Ordinal scale	Descriptive

Table 4: Operationalization Definition of Variables

4. Data Analysis, Presentation and Interpretations

4.1. Introduction

This chapter presents the data that was collected in the field in relation to the research questions contained in the questionnaire. The chapter presents the background information of the respondents, gives the results as obtained from the field and has interpreted the numerical in a narrative format under various sub-heading.

4.2. Questionnaires Return Rate

A total of 93 questionnaires were distributed to various categories of respondents and the results as shown in table 5 below were arrived at:

Area	Target Population (N)	Returned Questionnaires
Attorney General Office,	5	3
Law Society of Kenya	10	7
Directorate of Public Prosecution	5	5
Kenya Police,	25	21
Witness Protection Agency	14	11
Prison department	14	8
Judiciary	4	4
Human Rights Body	16	11
Total	93	70

Table 5: Questionnaires Return Rate

From the field results, it was observed that 70 respondents who represented 75% filled the questionnaires and returned them. These questionnaires were dully filled and therefore they were useful in this study. Going by Mugenda and Mugenda (2009)'s recommendation the response rate can be said to be good. According to them, when a response rate of 50% is achieved in a social science research, it can be said to be fair while that going beyond 70% is said to be good. Therefore, this study attained a good response rate.

4.3. Demographic Characteristics

Respondents were requested to indicate their gender, academic qualification levels and their work experience and the results below were arrived at

		Frequency	Percent
Gender	Male	53	75.7 Percent
	Female	17	24.3 Percent
Academic Qualification	Secondary education level	16	22.9 Percent
	Diploma	30	42.9 Percent
	Bachelor's Degree	18	25.7 Percent
	Master's Degree	6	8.6 Percent
Working experience	Less than 2 years	15	21.4 Percent
	2-4years	21	30.0 Percent
	5-9 Years	16	22.9 Percent
	10 - 14 years	11	15.7 Percent
	Over- 15 years	7	10.0 Percent
Total		70	100 Percent

Table 6: Background Information of the Respondents

Majority of the respondent who participated in the study were male as represented by 75.7 percent. In relation to academic qualifications, respondents who had secondary education level made 22.9 percent; those who had a diploma made 42.9 percent, those with a bachelor's degree made 25.7 percent while those who had a master's degree made 8.6 percent. Working experience of the respondents indicated that the working period of less than 2 years attracted 15 respondents who made 21.4 percent, 2-4 years attracted 21 respondents who made 30.0 percent, 5-9 years attracted 16 respondents who made 22.9 percent, 10 - 14 years attracted 11 respondents who made 15.7 percent while over- 15 years attracted 7 respondents who made 10.0 percent.

4.4. Staffing Capacity and Sustainable Implementation of the Witness Protection Programme

Respondents were asked a number of questions in relation to staffing capacity and its influence on sustainable implementation of the witness protection programme in Mombasa County and results as shown in the tables 7 and 4.4 below arrived at: Respondents were asked whether they supported the idea that staffing capacity influences the implementation of witness protection programme sustainably in this county or not and the results were as follows:

		Frequency	Percent
Valid	Yes	60	85.7 Percent
	No	10	14.3 Percent
	Total	70	100.0 Percent

Table 7: Staffing Capacity and Its Influence on Sustainable Implementation of the Witness Protection Programme

Majority of the respondents as represented by 85.7% supported the idea that staffing capacity influences the sustainable implementation of witness protection programme in Mombasa County.

On another separate question that was rated on a Likert scale that scaled from 1 to 5 where; 1= strongly disagree, 2= disagree, 3= fairly agree, 4=agree, 5= Strongly agree, respondents were asked to indicate the degree to which they agree or disagree with the following statements in relation to their influence on sustainable witness protection programmes implementation in the county. The explanations rated the means of 1-1.4 being equal to strongly disagree, a mean of 1.5-2.4 being equal disagree, and 2.5-3.4 equal to fairly agree, 3.5 to 4.4 is equal to agree while 4.5 to 5.0 equated to strongly agree. The results were as shown below:

	Strongly Disagree	Disagree	Fairly Agree	Agree	Strongly Agree	Mean
Number of employees influence the sustainable implementation of the witness protection programme	6	8	10	23	23	3.70
Employees experience influences the sustainable implementation of the witness protection programme	6	7	7	36	14	3.64
Employees academic qualification influence the sustainable implementation of the witness protection programme	6	8	30	18	8	3.20
Employees motivation influences the sustainable implementation of the witness protection programme	4	9	5	16	36	4.01

Table 8: Rating of the Influence of Staffing Capacity on Sustainable Witness

4.5. Protection Programme Implementation

From the table results, a greater percentage of the respondents agreed with the statement that number of employees influence the implementation of the witness protection programme sustainably in Mombasa County as represented by a mean score of 3.70. Those who agreed with the statement and strongly agreed scored the highest values of 23 respondents each. On average, majority of the respondents as represented by a mean score of 3.64 supported the idea that employees experience influences the implementation of the witness protection programme sustainably. This attracted a total of 36 respondents on the higher side who agreed with the idea. Also, majority of respondents as represented by a mean of 3.2 fairly supported the idea that employees' academic qualifications influence the implementation of the witness protection programme sustainably. Finally, majority of the respondents as represented by a mean of 4.01 agreed with the statement that employees' motivation influences the implementation of the witness protection programme sustainably.

- H₁: Staffing capacity influences the sustainable implementation of witness protection program in Mombasa County, Kenya.
- H₀: Staffing capacity doesn't influence the sustainable implementation of witness protection program in Mombasa County, Kenya.

	Value	df	Asymp. Sig. (2-sided)	Exact Sig. (2-sided)	Exact Sig. (1-sided)
Pearson Chi-Square	2.060 ^a	1	.151		
Continuity Correction ^b	.907	1	.341		
Likelihood Ratio	3.515	1	.061		
Fisher's Exact Test				.336	.175
Linear-by-Linear Association	2.031	1	.154		
N of Valid Cases	70				

Table 9: Testing of the First Hypothesis by Use of Chi-Square

Since the calculated p value of 0.336 is less than 0.5 ($p < 0.5$), at 95% significance level, we accept the alternative hypothesis. Therefore, staffing capacity influences sustainable implementation of witness protection program in Mombasa County, Kenya.

4.6. Financial Investment and Sustainable Implementation of Witness Protection Programme

Respondents were asked a number of questions in relation to financial investment and how these influenced the sustainable implementation of the witness protection programme in Mombasa County and the results as shown in tables 9 and 10 below were arrived at:

		Frequency	Percent
Valid	Yes	63	90 Percent
	No	7	10 Percent
	Total	70	100.0 Percent

Table 10: Financial Investment on Sustainable Implementation of Witness Protection Programme

In the first question, respondents were asked to indicate whether they supported the idea that financial investments have an influence on sustainable implementation of the witness protection programme and the results are indicated in the table above.

From the table results, on average a greater percentage of the respondents as supported by a percentage score of 90% supported the idea that financial investments have a significant influence on sustainable implementation of the witness protection programme in the county.

On a Likert scale that scaled from 1 to 5 where; 1= strongly disagree, 2= disagree, 3= fairly agree, 4= agree, 5= Strongly agree, respondents were asked to indicate the degree to which they agreed or disagreed with the following statements in relation to financial investment and sustainable witness protection programmes implementation in the county. The explanations rated the means of 1-1.4 being equal to strongly disagree, a mean of 1.5-2.4 being equal disagree, and 2.5-3.4 equal to fairly agree, 3.5 to 4.4 is equal to agree while 4.5 to 5.0 equated to strongly agree. The results were as shown below:

	Strongly Disagree	Disagree	Fairly Agree	Agree	Strongly Agree	Mean
Amount of funds allocated for WPP implementation influence the sustainable implementation of the programme in the county	5	9	10	28	18	3.64
Sources of the funds influence the sustainable implementation of WPP in the county	3	6	15	25	21	3.75
The duration of funds release influences the sustainable implementation of WPP in the county	3	4	5	23	35	4.19
Political goodwill influences the sustainable implementation of WPP in the county	7	8	8	14	33	3.83

Table 11: Rating the Influence of Financial Investment on Sustainable Witness Protection Programme Implementation

Five (5) respondents strongly disagreed with the idea that amount of funds allocated for WPP implementation influence the implementation of the programme sustainably in the county, 9 disagreed, 10 fairly agreed, 28 agreed while the remaining 18 respondents strongly agreed with the idea. On average (3.64), majority of the respondents agreed with the idea that amount of funds allocated for WPP implementation significantly influence their implementation. On average, majority of the respondents as represented by a mean score of 3.75 supported the idea that sources of the funds influence the implementation of WPP sustainably in the county. Also, majority of the respondents represented by a mean score of 4.19 supported the idea that the duration of funds release influences the implementation of WPP sustainably in the county. Finally, a mean score of 3.83 indicated that majority of the respondents supported the idea that political goodwill influences the implementation of WPP sustainably in the county.

- H_1 : Financial investment by the National government has an influence on sustainable witness protection program implementation in Mombasa County, Kenya.

- H_0 : Financial investment by the National government has no influence on sustainable witness protection program implementation in Mombasa County, Kenya.

	Value	df	Asymp. Sig. (2-sided)	Exact Sig. (2-sided)	Exact Sig. (1-sided)
Pearson Chi-Square	2.060 ^a	1	.151		
Continuity Correction ^b	.907	1	.341		
Likelihood Ratio	3.515	1	.061		
Fisher's Exact Test				.336	.175
Linear-by-Linear Association	2.031	1	.154		
N of Valid Cases	70				

Table 12: Testing the Second Hypothesis by Use of Chi-Square Tests

Since the calculated p value of 0.336 is less than 0.5 ($p < 0.5$), at 95% significance level, we accept the alternative hypothesis. Therefore, financial investment by the National government has an influence on sustainable implementation of the witness protection programme in Mombasa County, Kenya.

4.7. Influence of Legal Frameworks on Sustainable Witness Protection Programme Implementation

On a Likert scale that scaled from 1 to 5 where; 1= strongly disagree, 2= disagree, 3= fairly agree, 4=agree, 5= Strongly agree, respondents were asked to indicate the degree to which they agreed or disagreed with the following legal frameworks in relation to their influence on the implementation of the witness protection programme sustainably in the county. The explanations rated the means of 1-1.4 being equal to strongly disagree, a mean of 1.5-2.4 being equal disagree, and 2.5-3.4 equal to fairly agree, 3.5 to 4.4 is equal to agree while 4.5 to 5.0 equated to strongly agree. The results were as shown below:

The following legal frameworks have a significant influence on the sustainable implementation of the witness protection programme in this county:	Strongly Disagree	Disagree	Fairly Agree	Agree	Strongly Agree	Mean
Adequate legislation available	3	7	8	27	25	3.91
Adherence to relevant laws	5	10	10	35	10	3.50
The prosecutions policy	5	7	8	18	32	3.93
The bail and bond policy	0	0	11	35	24	4.19

Table 13: Rating of Influence of Legal Frameworks on Sustainable witness Protection Programme Implementation

Majority of the respondents supported the idea that the following legal frameworks have a significant influence on the sustainable implementation of the witness protection programme in Mombasa County as indicated by: Availability of adequate legislation that was supported by a mean score of 3.91, adherence to relevant laws supported by a mean score of 3.5, the prosecutions policy supported by a mean score of 3.93, and finally the bail and bond policy supported by a mean score of 4.19.

- H_1 : Legal frameworks influence sustainable witness protection program implementation in Mombasa County, Kenya.
- H_0 : Legal frameworks don't influence sustainable witness protection program implementation in Mombasa County, Kenya.

	Value	df	Asymp. Sig. (2-sided)	Exact Sig. (2-sided)	Exact Sig. (1-sided)
Pearson Chi-Square	2.463 ^a	1	.117		
Continuity Correction ^b	1.236	1	.266		
Likelihood Ratio	4.132	1	.042		
Fisher's Exact Test				.187	.129
Linear-by-Linear Association	2.428	1	.119		
N of Valid Cases	70				

Table 14: Testing the Third Hypothesis by Use of Chi-Square Tests

Since the calculated p value of 0.187 is less than 0.5 ($p < 0.5$), at 95% significance level, we accept the alternative hypothesis. Therefore, legal frameworks influence sustainable witness protection program implementation in Kenya.

4.8. Public Awareness, Knowledge and the Implementation of Sustainable Witness Protection Programme

On a Likert scale that scaled from 1 to 5 where; 1= strongly disagree, 2= disagree, 3= fairly agree, 4= agree, 5= Strongly agree, respondents were asked to indicate the degree to which they agreed or disagreed with the following statements in relation to public awareness and knowledge in relation to their influence on the implementation of the witness protection programme sustainably in the county. The explanations rated the means of 1-1.4 being equal to strongly disagree, a mean of 1.5-2.4 being equal disagree, and 2.5-3.4 equal to fairly agree, 3.5 to 4.4 is equal to agree while 4.5 to 5.0 equated to strongly agree. The results were as shown below:

	Strongly Disagree	Disagree	Fairly Agree	Agree	Strongly Agree	Mean
Sensitization programs influences sustainable implementation of WPP programs.	7	11	13	18	21	3.50
Sources of information to the public about the WPP influences sustainable implementation in the county	7	15	12	24	12	3.27
Collaboration with other stake holders influences sustainable implementation of WPP.	3	5	6	14	42	4.24
Regional spread of WPP activities influences its sustainable implementation	3	6	9	19	33	4.04

Table 15: Rating the Influence of Public Awareness and Knowledge on Sustainable Witness Protection Programme Implementation

The highest number of the respondents supported the idea that collaboration with other stake holders influences implementation of WPP sustainably having scored a mean score of 4.24. This was followed by the idea that regional spread of WPP activities influences its sustainable implementation have achieved a mean score of 4.02. Also, majority of the respondents supported the idea that sensitization programs influences the implementation of WPP programs sustainably as indicated by a mean score of 3.50. However, the idea that sources of information to the public about the WPP influences its sustainable implementation in the county received affair support with a mean score of 3.27

- H_1 : Public awareness and knowledge influences sustainable implementation of witness protection program in Mombasa County, Kenya.
- H_0 : Public awareness and knowledge doesn't influence sustainable witness protection program implementation in Mombasa County, Kenya.

	Value	df	Asymp. Sig. (2-sided)	Exact Sig. (2-sided)	Exact Sig. (1-sided)
Pearson Chi-Square	44.916 ^a	1	.000		
Continuity Correction ^b	37.709	1	.000		
Likelihood Ratio	30.014	1	.000		
Fisher's Exact Test				.000	.000
Linear-by-Linear Association	44.274	1	.000		
N of Valid Cases	70				

Table 16: Testing the Fourth Hypothesis by Use of Chi-Square Tests

Since the calculated p value of 0.000 is less than 0.5 ($p < 0.5$), at 95% significance level, we accept the alternative hypothesis. Therefore, public awareness and knowledge influences sustainable implementation of the witness protection program in Mombasa County, Kenya.

5. Summary of Findings, Discussions, Conclusions and Recommendations

5.1. Introduction

This chapter presents the summary of the research findings, discussions, conclusions, and recommendations under various sub-headings as outlined in the chapter four above. The research has also given suggestions for areas that can be looked into in the future.

5.2. Summary of the Findings

A total of 93 questionnaires were distributed to various categories of respondents and it was observed that 70 respondents who represented 75% filled the questionnaires and returned them. These questionnaires were dully filled and therefore they were useful in this study. Majority of the respondent who participated in the study were male as represented by 75.7 percent.

Majority of the respondents as represented by 85.7% supported the idea that staffing capacity influences the sustainable implementation of witness protection programme in Mombasa County. A greater percentage of the respondents agreed with the statement that number of employees influence the implementation of the witness protection programme sustainably in Mombasa County as represented by a mean score of 3.70. On average, majority of the respondents as represented by a mean score of 3.64 supported the idea that employees experience influences the implementation of the witness protection programme sustainably and many more. Since the calculated p value of 0.336 was less than 0.5 ($p < 0.5$), at 95% significance level, the alternative hypothesis was generally accepted. Therefore, staffing capacity influences sustainable implementation of witness protection program in Mombasa County.

On the other hand, on average a greater percentage of the respondents as supported by a percentage score of 90% supported the idea that financial investments have a significant influence on sustainable implementation of the witness protection programme in the county. Going by the indicators in the variable, on average (3.64), majority of the respondents agreed with the idea that amount of funds allocated for WPP implementation significantly influence their implementation. Also, on average, majority of the respondents as represented by a mean score of 3.75 supported the idea that sources of the funds influence the implementation of WPP sustainably in the county. Moreover, majority of the respondents represented by a mean score of 4.19 supported the idea that the duration of funds release influences the implementation of WPP sustainably in the county. Since the calculated p value of 0.336 was less than 0.5 ($p < 0.5$), at 95% significance level, the alternative hypothesis was accepted. Therefore, financial investment by the National government has an influence on sustainable implementation of the witness protection programme in Mombasa County.

The third objective sought to establish the extent to which various elements of legal frameworks influenced the implementation of the WPPs and the results indicated that legal framework components influenced the implementation of WPPs. For example, majority of the respondents supported the idea that: Availability of adequate legislation (a mean score of 3.91), adherence to relevant laws (a mean score of 3.5), the prosecutions policy (a mean score of 3.93), and the bail and bond policy (a mean score of 4.19) influence the implementation of witness protection programmes. Since the calculated p value of 0.187 was less than 0.5 ($p < 0.5$), at 95% significance level, the alternative hypothesis was favored. Therefore, legal frameworks influence sustainable witness protection program implementation in Kenya.

Finally, the fourth objective sought to examine the extent to which public awareness and knowledge influences sustainable implementation of the witness protection program in Kenya. The results indicated that highest number of the respondents supported the idea that collaboration with other stake holders influences sustainable implementation of WPP significantly having scored a mean score of 4.24. This was followed by the idea that regional spread of WPP activities influences its sustainable implementation have achieved a mean score of 4.02. Also, majority of the respondents supported the idea that sensitization programs influences sustainable implementation of WPP programs as indicated by a mean score of 3.50. Since the calculated p value of 0.000 was less than 0.5 ($p < 0.5$), at 95% significance level, the alternative hypothesis was accepted. Therefore, public awareness and knowledge influences sustainable implementation of the witness protection program in Mombasa County.

5.3. Discussions of the Findings

The first objective sought to establish the extent to which staffing capacity influences sustainable witness protection program implementation in Kenya and majority of the respondents as represented by 85.7% supported the idea that staffing capacity influences the implementation of witness protection programme sustainably. According to World Bank (2017), the qualities of employees of an organization significantly influence the rate at which this organization achieves its objectives. The World Bank report has focused on four areas where an organization must focus on in order to have its employees achieve much better results in any given organization that include: the experience of the employees, the number of the employees, the amount of knowledge and skills acquired and the energy (motivation levels of these employees). Besides, Melissa *et al* (2015) did a study on witness protection in Vietnam. In their finding, they asserted that witness protection programme implementation is significantly influenced by the employees' capacity. According to this report, majority of the respondents in the interview supported the idea that the lack of enough employees for witness protection, lack of qualified protection officers and lack of enough facilities to train these officers influences the rates at which witnesses are protected in the country since it has a direct influence towards witness protection programs implementation.

In relation to the objective that sought to examine the influence of financial investment by the National government on sustainable witness protection program implementation, results indicated that majority of the respondents as indicated by a percentage score of 90% supported the idea that financial investments have a significant influence on sustainable witness protection programme implementation in the county. This concurs with Rep (2016)'s research who has shown that the sources of finances for witness protection, the time taken for this money to be released, the amounts allocated among other significantly influence the implementation of the witness protection program. Kariri (2015) also adds that, the amount of

money allocated to witnesses protection programs are limited and at times are not released because majority of the mega crime perpetrators are senior government officials or people who are connected well with the government; leading to non-sustainable implementation of these programs. Additionally, according to Jemima (2016), witness protection program in Africa has faced numerous challenges and central of them is the lack of sufficient financial resources or funding at all. In Guinea and Kenya for example, the sources of the witness protection program are not well structured. This has left the countries lack the ability to achieve the international set standards for witness protection. Some of the challenges are very intense to the point that these programs are in its knee point since much of the funding come from the government; the same government that harbors numerous crime perpetrators.

In relation to the third objective that sought to examine the influence of legal frameworks on sustainable witness protection program implementation, respondents indicated a very significant influence. For example, availability of adequate legislation was supported by a mean score of 3.91, adherence to relevant laws supported by a mean score of 3.5, the prosecutions policy supported by a mean score of 3.93, and finally the bail and bond policy supported by a mean score of 4.19. From the literature reviewed, Harmon (2017) notes that, for any programme to succeed in any country or region, it must be supported by recognized and well laid down rules and regulations that in most occasions must be enshrined in the country's constitution. In fact, the policies in a country are very central in the implementation of the various witness protection programs because the program is very sensitive, it requires many resources, trust and from time to time it faces much opposition from wealth and corrupt citizens.

Finally, the fourth objective sought to examine the extent to which public awareness and knowledge influences sustainable implementation of the witness protection program in Kenya. The results indicated that highest number of the respondents supported the idea that collaboration with other stake holders influences sustainable implementation of WPP significantly having scored a mean score of 4.24. This was followed by the idea that regional spread of WPP activities influences its sustainable implementation have achieved a mean score of 4.02. Also, majority of the respondents supported the idea that sensitization programs influences sustainable implementation of WPP programs as indicated by a mean score of 3.50. However, the idea that sources of information to the public about the WPP influences its implementation in the county received affair support with a mean score of 3.27. Similarly, Brouwer (2016) has mentioned the importance of public awareness and information in criminal justice system. According to him, the communication, the information and the awareness creation by the criminal justice systems significantly influences the implementation of the witness protection program. Also, the UN (2017) has indicated that there is need for the international media, the government and the local media, the NGOs, the CBOs, the FBOs, the teachers, judges, police and other stakeholders to inform the victims of abuse on the importance of the witness protection units in sub-Saharan Africa. Brouwer (2016) has further confirmed the importance of police ad public being aware of witness protection and selling the idea to the public and other people for sustainable implementation of witness protection programmes.

5.4. Conclusions

Based on the research findings and the literature reviewed, the researcher concludes that:

Public awareness and knowledge significantly influence sustainable implementation of the witness protection program in Kenya at a higher rate compared to other variables. Based on the hypothesis tested and values arrived at, the extent to which the citizens are knowledgeable and aware of the WPP, the extent of knowledge and comprehension of the WPP among the police, the amount of information accessed by other citizens and stakeholders significantly influences the implementation and sustainability of the witness protection program in Kenya and beyond.

The researcher also concludes that the legal framework has a second strong magnitude of influence on sustainable witness program implementation in the country and beyond. The type of laws laid down, the extent of observing these laws, the penalties attached to breaking the laws, nature of prosecutions policies and many more have a significant influence on the implementation and sustainability of witness protection program in Kenya and the world at large.

Besides, the researcher concludes that staffing capacity influences the implementation of sustainable witness protection programme significantly. According to the researcher, the nature of employees handling the WPP in terms of their academic qualifications, knowledge of handling sensitive cases, mastery of language for facts communication, their moral values, the number of these employees and many more influences sustainable implementation of this program across the country and globe. The expertise of the human labour in charge of this protection program also has a significant influence. The levels and nature of motivation of the employees handling the witness protection program in the country also influences their performance.

Finally, financial investments have a significant influence on sustainable witness protection programme implementation. According to the researcher, amount of funds allocated for WPP, sources of the funds for the WPP, the duration the funds take to be released, political goodwill in providence the relevant financial support influence the implementation of WPP in Mombasa County, Kenya and beyond.

5.5. Recommendations

Based on the research findings and the literature reviewed, the researcher recommends that:

The government and non-governmental organizations should develop and adopt sensitization programs for purposes of creating WPP awareness. This will enable members of the public to know the existence of WPP and where necessary seek protection.

That there is need for the development and adoption of laws and regulations on Witness Protection with penalties on violation by the parliament. For example, there need for adoption of laws to allow a two-way closed-circuit television or video link and a two-way audio link to be installed in courts and used during trials involving protected witnesses. This law is currently in application in countries like India.

That WPP in the country should have qualified experts who have right morals and integrity to oversee the performance of the program. The experience and track records of the employees should be used as part of the criteria for employing them. That employees managing the program should continuously be motivated and provided with other incentives like maximum protection to them as individuals and their families, which will allow them provide better services members of the public without fear or intimidation.

Finally, the researcher recommends that the Witness Protection Agency should have its budget well defined, their sources of money well identified, the flow of money should be well outlined, the amount of money should be sufficient, the duration of funding should be well defined and all the leaders should be brought on board for financial resources mobilization.

5.6. Suggestions for Further Studies

Research can be done on socio-cultural determinants influencing sustainable implementation of the witness protection program. This is because cases of witnesses declining to be admitted into the WPP have been reported recently, especially within Mombasa.

Research can be done to examine the development and adoption of covert finance practices for purposes of concealing the identity of protection officers and protected witnesses. That during the 19th Europol conference on Witness Protection-Innovative Responses to New and Old challenges. Member states in attendance expressed concerned that protection officers and witnesses have been exposed using their previous and current financial transactions.

Finally, research can be done to examine the influence of psychosocial programs on witnesses under the witness protection program in Kenya, a case of Mombasa County. This is because of the recent development where witnesses have recanted their initial statements.

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