



THE MOSS GROUP, INC.

Experienced Practitioners Committed to Excellence in Correctional Practice

Kenya Empowerment Project with Women: CBA and CEA Walkthrough

Final Report - June 2022

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TMG also extends their acknowledgment and appreciation to the International Corrections and Prisons Association for their unwavering commitment to the improvement of criminal justice systems around the world. Without their leadership and foresight, this initiative, and the development of the tools provided herein, would not have been possible.

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Introduction

The “*Beyond Prisons: Women and Community Corrections Taskforce*” was formally established by the International Corrections and Prisons Association (ICPA) in January of 2019. The objective of the Taskforce is to actively promote and support the development and sharing of knowledge in relation to gender-informed programs, research and community-based alternatives for women in conflict with the law. The Taskforce considers that the community has a central key role to play in the development of successful, holistic, and women-centered approaches.

Established as a time-limited project, an international Steering Committee of practitioners and experts was formed. Its members are Rosemary Caruana (Australia), Denise Robinson (USA), Stephen Pitts (UK), Kelley Blanchette (Canada) Mary Mbau (Kenya), Melissa Hamilton (UK) and co-chairs are Jennifer Oades (Canada) and Diane Williams (USA). The Parole Board of Canada provide the secretariat functions for the Taskforce.

The present report builds on a guide commissioned by the Taskforce in 2021: “*Alternatives to Incarceration and Community-based Programs for Justice-Involved Women: Key Program Indicators and Cost Benefit Analysis Considerations for Decision Makers*”. The guide, developed by The Moss Group, outlines relevant considerations and potential resources to advance gender-responsive, community-based services, and supervision practices for women.

This report is ground-breaking and inspirational in the effort to provide countries, agencies, and organizations with additional tools as they develop approaches towards women in conflict with the law. It responds to the fact that while alternatives to incarceration for women have shown promising results there is still relatively little by way of clearly established program criteria, reliable quantitative data, or user-friendly tools with which to assess these alternatives. Using, as an example, an innovative approach that the Kenya Probation and After Care Service implemented in 2015, this report provides a step-by-step proof-of-concept to demonstrate how such a project could build a cost-benefit analysis (CBA) or a cost-effective analysis (CEA) approach from the outset. It is a guide and a tool designed to assist policy makers, practitioners, and decision-makers in the planning of programs or services that are measurable through either a cost-benefit analysis or a cost-effective analysis. Anyone leading community correctional programs and services is highly encouraged to build a strong foundation in CBA/CEA principles and approaches.

The members of the Steering Committee would like to thank The Moss Group for leading this endeavour and Mary Mbau, Secretary to the Kenya Probation and After Care Services and her team for their invaluable contribution to this report. As Ms. Mbau stated in this review: “In moving forward, it won’t be business as usual”.

Readers are encouraged to use this report in conjunction with the earlier guide referenced above.

Jennifer Oades
Chairperson, Parole Board of Canada

Diane Williams
Treasurer, Board Member, International Corrections
and Prisons Association

July 7, 2022

Background

At a time when criminal justice agencies are being asked to “do more with less”, policy makers are looking for methodologies that can provide objective data on the efficacy and efficiency of proposed initiatives. The cost of an intervention and its potential impact are prime considerations in making policy and funding decisions, yet the tools with which to assess investments in criminal justice programs are limited. Recognizing the need for more options, TMG at the request of ICPA developed “*Alternatives to Incarceration and Community-based Programs for Justice-Involved Women: Key Program Indicators and Cost-benefit Analysis Considerations for Decision Makers*” (International Corrections and Prison Association 2020), hereinafter referred to as the “Guide”. The aim of the Guide is to provide a high-level outline and framework of a cost-benefit analysis (hereinafter “CBA”) as well as an alternative approach of a cost-effectiveness analysis (hereinafter “CEA”) designed to measure the effectiveness and financial feasibility of gender-specific, community-based interventions.

The overarching objective of the Taskforce was to ensure that the Guide was not only informational but also a useful and meaningful tool that could be used by any criminal justice agency, regardless of geographic location or human resource capital. Was the information clear? Would agencies have the resources and skills required from the Guide? More importantly, what practical benefits could an agency derive from using the Guide? To answer these questions, a proof of concept, step-by-step walkthrough of the Guide’s CBA and CEA frameworks within a practical setting was conducted in cooperation with PACS Kenya and focused on a pilot project administered during 2015 and 2016.

Taking a retrospective look at an initiative through the lens of a CBA/CEA analysis is not intended as a form of program review. The collective goal was to look at a program that had been developed and administered by an agency “in-house” without the structure of a CBA/CEA analytical framework. This review offered the unique opportunity to consider how a structured analysis could have been of benefit at the time of project development and implementation, as well as what lessons could be learned for future program development. The review also provided PACS Kenya the opportunity to gather valuable information on the long-term impacts that accrued to their program participants.

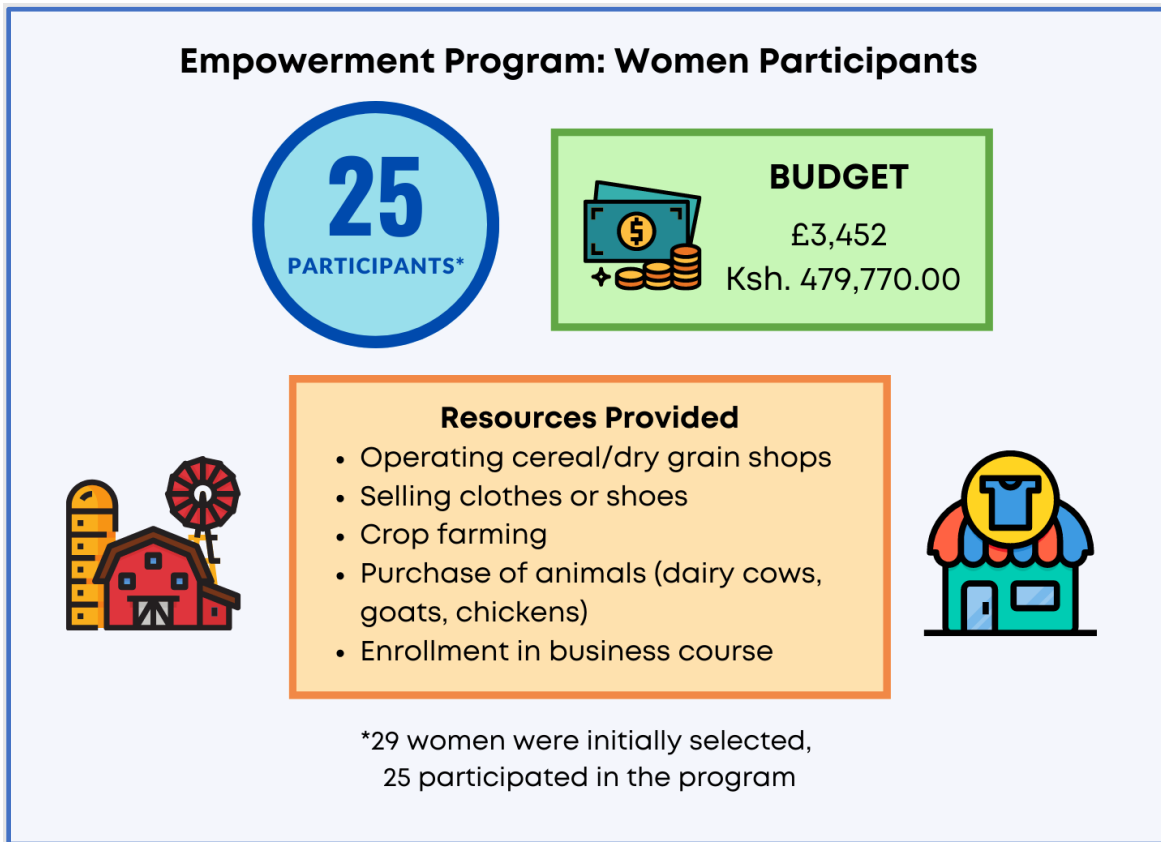
CBA/CEA Proof of Concept – The Project

The project selected for the proof-of-concept walkthrough was a pilot program conducted by PACS Kenya called The Empowerment Project (hereinafter “Project”). The Project was a small subset of a greater Penal Reform International (PRI) initiative called the Excellence in Training on Rehabilitation in Africa (EXTRA), described in detail below.

The Project had 54 participants, 29 of which were women. The program budget for the women was less than £3,452 (Ksh. 479,770.00)¹ and was designed to provide participants with seed capital to enable them to establish a new, or improve an existing, income-generating venture. The ventures afforded to these women included operating cereal/dry grain shops, selling/hawking clothes or shoes, farming of various crops or purchase of

¹Costs will be referred to in British Sterling Pound (£) and Kenyan Shillings (Ksh.)

animals (dairy cows, goats, chickens), as per their needs. One participant was provided funding to attend a business course.



Funds were distributed to participants in two installments. Funding assistance for the beneficiaries ranged from a high of Ksh. 41,000 to a low of Ksh. 5,000. This process allowed PACS Kenya to assess the level of implementation for each participant and guide the distribution of the second installment. Indeed, the project staff felt it was a good decision to allocate funds in this fashion because a few offenders who were doing poorly were denied a second allocation, which allowed for additional funding to other participants.

This CBA/CEA walkthrough focused only on the women participants and while the project had no gender-specific characteristics, discussions with the PACS Kenya team indicated staff were sensitive to the needs and familial responsibilities of the female participants. The Project was conducted throughout the calendar year of 2015 and was developed organically from the work of the PACS Kenya staff and criminal justice stakeholders who envisioned it as an effective initiative for offenders whose crimes primarily related to poverty. The program was administered based on the expertise and professional judgment of staff at that time, without relying on data or statistical measures that could be used for a cost-benefit consideration. In addition, because there was no established control group or comparative program for this walk-through, PACS Kenya established a “comparison group” comprised of women who were on probation or who had Community Service Orders (CSO) for similar crimes during the same time period as the program participants, serving as the “business as

usual” comparative. Again, while this group may not have qualified as a statistical standard “control group,” it was an acceptable benchmark for this retrospective review.

While the Empowerment Project is not the traditional initiative upon which to conduct a CBA or CEA, this exercise yielded information that provided both insight into the long-term success of the Empowerment Project as well as a valuable framework to use in assessing future projects. It raised the level of awareness of the breadth of elements that agencies can consider in weighing the benefit of an initiative and allowed for deeper introspection on benefits that can be fiscally measured and those whose value may be significant but challenging to monetize. It also heightened the value of developing specific desired outcomes at the beginning of a project and determining how to monitor and extract the relevant data to measure those outcomes.

When investing in new interventions or expanding existing programs, funders, government officials, and other relevant stakeholders consistently want to know whether the program is providing a positive impact or not. The value of a CBA or CEA is the ability to measure those effects in monetary terms; however, as stated previously, there are significant challenges in monetizing the impact of a change in human behavior. The changes in lifestyle and economic circumstances for many of the Project participants versus the comparison group were greatly improved but due to the retrospective nature of the review, not necessarily in ways that were able to be measured and monetized. The review, however, provided clarity and insight on how measurements and monetization can be achieved when such factors are appropriately considered during the initial program design.

In this effort, the long-term impact of a relatively small number of individuals was assessed. The costs of the program were measurable in many areas, and the value of the program for participants versus the comparison group was also somewhat measurable. However, the fiscal impact of not being engaged in the criminal justice system and what that future engagement might have looked like, are speculative at best, but serve our purpose of helping agencies plan and implement CBA and CEA initiatives.

A key takeaway from this process is the importance of identifying potential data points to monitor and measure at the outset of a project. While some data points may not lend themselves to easily being monetized, they can provide valuable markers of measuring success.

Project Overview

The Empowerment Project was financed and supported by the British Government via the Department for International Development’s Security and Justice Innovation Fund (Penal Reform International n.d.). ExTRA funding was dedicated to several initiatives in the countries of Kenya, Uganda, and Tanzania. During the process, PACS Kenya staff designed the Empowerment Project to assist a small group of offenders who had an interest in self-employment but lacked the capital to venture into income-generating activities of their choice. Key partners in this initiative included the Community Service Orders (CSO) case committees, local administration, and CSO supervisors.

Basic education and intrinsic motivation were key factors required on the part of the participants and determined as essential to the participants' success in the program. Another influencing factor that was difficult to measure relates to the engagement and attitude of the probation officers overseeing the participants. In surveys submitted during this process, participants rated their probation officers as being "helpful" or "very helpful" to their probation and program success, with similar responses from the comparison group; however, specific behaviors and the ways in which those behaviors were effective, was not explored.

Eligibility criteria for project participants included:

- A basic ability to read, write and perform simple arithmetic.
- Criminal justice involvement that was due in part to poverty.
- Either operating an income-generating venture or have an interest in doing so.
- Willingness to attend a one-day class on entrepreneurship.
- Successful probation or CSO participation with at least six months remaining on their probationary term or be willing to have their probation/CSO order extended by six months.

Project services for all participants included:

- Provision of one-day training in entrepreneurship.
- Provision of seed capital by procuring goods or provisions of funds to offenders with funds given in two installments. The second installment was provided two months later if probation officers were satisfied the first installment was properly utilized.
- Guidance and support from project staff.

Even though the project was relatively small and conducted over six years ago, the CBA/CEA process yielded a great deal of benefit. Despite the lapse in time, data was still available, and the intervening years allowed for a longitudinal perspective of the program's enduring value and benefits. A comparison group of women was identified who had been sentenced for similar offenses at the same time as the Project participants, and survey questions were developed for both the original participant group and comparison group. Thereafter, PACS Kenya staff conducted in-person visits to both groups in Spring 2022. These visits allowed staff to conduct the survey questions as well as gain a greater sense of the ancillary impacts to the women and their families by observing their living conditions and personal demeanor. Also, the visits and conversations provided a myriad of subjective assessments that reflected enhanced living conditions,

"It has been very gratifying to conduct a CBA/CEA on a program that is seven years old and witness the accruing benefits and the lives that were impacted. We are encouraged that now there are tools to measure the benefits for future programs using an objective technique."

– Joshua Wairuhi
Deputy Director, PACS Kenya

increased self-confidence, greater personal growth and stronger familial relationships for Program participants versus the comparison group. Missing, however, was the ability to attach objective monetary data points that could reflect the Project's impact.

Pilot Project CBA and CEA Overview

Both the traditional CBA and CEA methodologies have unique challenges and considerations within the corrections setting. As noted earlier, the selected project was implemented in 2015, which provided the advantage of having historical perspective on the long-term effects of the program, but the disadvantage of not being able to collect relevant data and conduct all the necessary steps throughout the project's duration, for a CEA or CBA. Following is an overview of each step of the CBA/CEA analysis as outlined in the Guide, and how those steps interface with the Empowerment Project, along with highlights from program administrators on insights gained in following this process.

CBA Overview

The traditional CBA assesses whether the economic benefits of a given intervention outweigh the economic costs (International Corrections and Prison Association 2020, 14). The CBA has the strength of being an objective measure with results expressed as a mathematically calculated ratio of average costs to average benefits (Ibid., 12) that monetizes both costs and benefits. While this type of analysis has the allure of reducing complex criminal justice interventions to a detached formulaic, it can be extremely challenging to assign monetary value to human behaviors that are influenced and impacted by a myriad of variables.

Additionally, the CBA is both a labor and time-intensive process, and many programs do not have the resources or capacity to conduct such an analysis or track outcomes long-term, which is necessary in calculating a traditional CBA (Ibid., 13, 14). This was the case with the Empowerment Project. While it was relatively easy to establish direct and indirect costs for this small program, it was more challenging to monetize the direct benefits or to accurately determine the indirect and long-term impacts of the investment.

CEA Overview

A CEA focuses on comparing the relative costs of achieving a specific outcome using different activities (Ibid., 14). A CEA is most useful before an intervention has been implemented, as it enables decisionmakers to compare two different courses of action. In the CEA walkthrough, the tool was used to determine the value of replacing "business as usual" (i.e., not having the program) with an intervention (the Empowerment Project).

CBA Walkthrough

Step 1 – Create a Workgroup

The PACS Kenya team involved in establishing and administering the Empowerment Project included the following individuals:

- **Joshua Wairuhi**, Deputy Director, Community Service: Served as Project Coordinator for ExTRA Project and Empowerment Project.
- **Honorable Ocharo Momanyi**, National Coordinator, Community Service Orders: Represented the judiciary and provided legal guidance.
- **Hannah Maingi**, Deputy Director, Court Services, Victim Services/Coordinator of Development Partners: Ensured proper linkages with development partners and assisted in monitoring the ExTRA Program during implementation.
- **Felisina Ndwiga**, Deputy Director, Monitoring and Evaluation and Quality Assurance: Provided guidance and direction in monitoring, quality assurance, evaluation, and project learning outcomes.
- **Clement J. Okech**, Deputy Director, Rehabilitation and Treatment of Adult Offenders and Crime Prevention: In charge of offender rehabilitation and treatment as well as crime prevention. Actively engaged with court services and a key participant in implementing the ExTRA Project.
- **Shadrack Kavutai**, Assistant Director, Finance and Planning: Provided financial oversight for the project.
- **Teresia M. Kimoko**, Assistant Director, Community Service Orders Project and Work Agencies: Assisted with ICPA Taskforce activities, coordinator of women in conflict with the law, and implementation of the UN Bangkok Rules.
- **Lucy N. Roma**, Senior Probation Officer, Research, Statistics and Development: Monitoring expert provided relevant guidance in research areas and provided data and statistics when necessary.

All of these individuals were subject matter experts in the operational aspects of the pilot program. While the need for a statistician is routinely recommended in CBA and CEA workgroups, it is unlikely that many agencies would have this unique expertise, especially for a project of this size and scope. Though some data was obtained during the walkthrough, the absence of a statistician diminished the ability to apply statistical modeling to analyze and interpret data.

Insights gained:

- In retrospect, the PACS Kenya team recognized the value of having someone on the team with expertise in statistical modeling or who had a familiarity with conducting CBAs or CEAs. It was determined that this expertise was likely available within the Kenya State Department for Correctional Services and had they accessed that expertise at the outset, additional data points and metrics perhaps could have been identified and monitored throughout the project.
- A further insight gained in the process was the value of identifying specific measurable outcomes at the outset of the project that could be utilized as objective data points to quantify throughout the project. Examples of measures that could have been considered include comparison of annual income of participants versus non-

participants, and costs to fulfill Probation/CSO requirements versus costs accrued in running their businesses. Conducting research at the outset to identify any relevant data points that have been monetized by credible third parties could also have helped define program measures.

- The effect of correctional practice on female offenders is an area of interest to the ICPA taskforce. Incorporating gender-responsive practices for women may lead to enhanced opportunities for success in projects such as this. For that reason, a summary of considerations for women’s programs and services is included in Appendix A of this report.

Step 2 – Frame the Problem/Opportunity

a) Define the problem to be solved or the opportunity for improvement

The specific objective of the Empowerment Project was to help offenders become financially self-sustaining through the generation of legal sources of income that would enable them to stay out of the criminal justice system and improve their lives. Primarily, the program focused on offenders who had limited or temporary means of income and committed lower risk offenses to generate money. One program objective was to alleviate poverty, thereby stemming reoffending/recidivism. Poverty is a major factor in commission of crimes throughout the country. Interventions that would alleviate poverty are perceived as highly desirable because an empowered citizen is less likely to engage in criminal conduct. Another objective was strengthening family bonds through the confidence and independence gained by financial stability and self-sufficiency. Finally, it was hoped that this project, if successful, could be replicated in other areas.

“The majority of women offenders in Kenya who are serving non-custodial court orders are unskilled and are involved in subsistence farming and other small businesses. Kenya, being an agricultural oriented country, development partners could support women offenders in establishing agribusinesses which have the potential to lift them out of abject poverty and consequently divert them from possible recidivism.”

– Mary Mbau, HSC
Secretary, PACS Kenya

b) Identify who has a stake in the outcome



c) Goals/objectives and measurement for success

The goals stated by PACS Kenya included a decrease in recidivism, a reduction in the poverty that ostensibly led to the criminal behavior, and the creation of a pathway to self-sufficiency for offenders who had basic skills and entrepreneurial motivation. Success would be determined by whether a participant reoffended, and whether they remained employed and self-sufficient. Additionally, an improved standard of living, more stable family relationships, and reduced stigma within the community for the offender and their family were of primary importance.

Insights gained:

- The goals of maintaining employment and not reoffending were clearly documented. However, there were no data points developed to measure an offender’s standard of living, level of employment, or general impact on the family. In order to obtain this type of impact data, early dialogue should be established with social service professionals, statisticians, or similar professionals, to agree upon what data points may lend themselves to objective and meaningful information.
- Similarly, it is important to determine by what method data will be retrieved. In this walkthrough, due to time constraints and technology limitations, the PACS Kenya team determined it necessary to have probation officers meet directly with program participants and the comparison group. This was an effective way to gather information but may generate less objective information. The method of data gathering should be determined at the outset of a project and, if possible, conducted by a third party.

d) Design a potential program to achieve desired outcome

The Empowerment Project participants were initially identified by PACS Kenya probation officers from their caseload. These were offenders who performed well during probation and their Community Service Order, showed remorse for their crimes, a desire not to reoffend, and who desired to have their own business. These offenders were referred to a case conference committee who then selected 29 women. Each was given the opportunity to attend a one-day entrepreneurial training and received a small investment to expand upon or open a basic business.

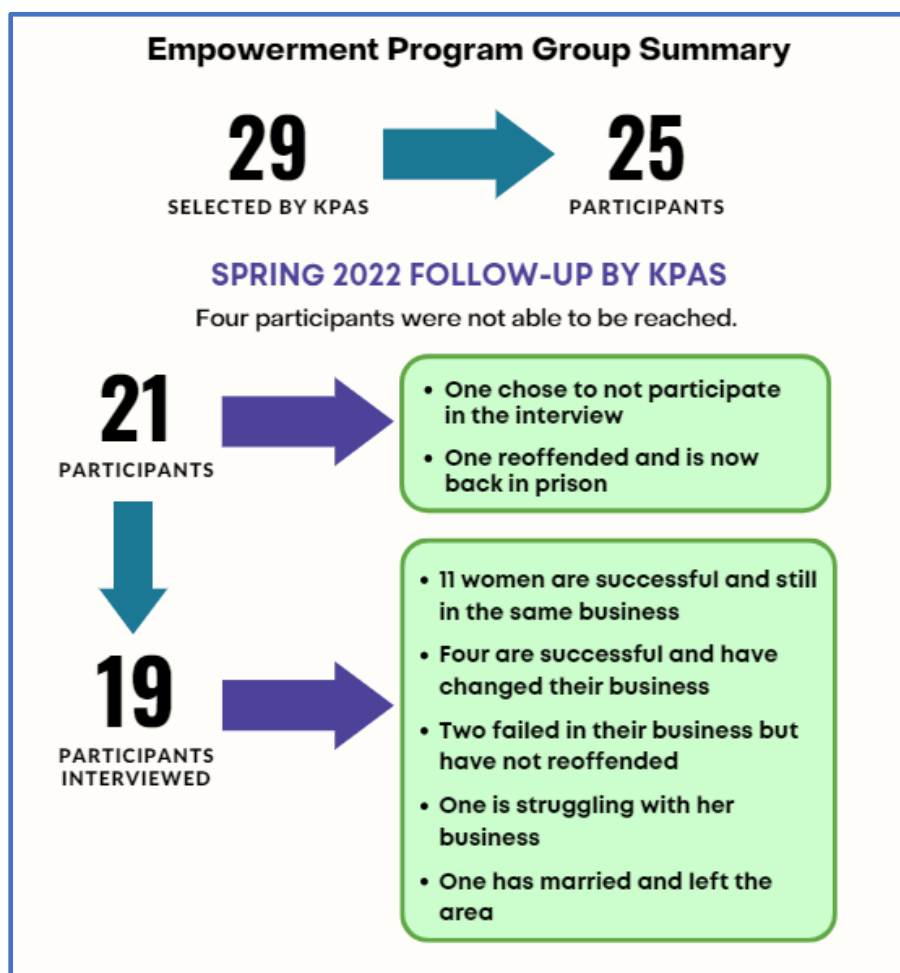
Probation officers worked closely with the individuals to identify what kind of investment would help to prevent resuming illegal activities. The most popular option identified for women was initial resources for selling cereals and groceries. While there were options that both men and women engaged in, women often chose businesses that would keep them close to their homes, while men chose options such as farming and carpentry which allowed for more off-site locations.

Following is a comparison of the Empowerment Project participants and the “business as usual” group of women offenders. In both groups, there are examples of areas that are more common to women such as family and childcare responsibilities which may require women to engage in work at home or closer to home or may present scheduling conflicts. Some of these considerations are addressed in Appendix A and may be areas of focus for future empowerment type projects.

Empowerment Project Group Summary

Overview. Project participants hailed from two counties within the Upper Eastern region of Kenya. These counties were selected due to a combination of factors, including a large population and a high crime rate. Ultimately, there were 25 empowerment grants awarded

to women². Out of the 25 women, PACS Kenya staff were able to conduct follow-ups with 21 of them during the Spring of 2022. Of these 21, one person chose to not participate in the interview as she was now married and did not want her husband to know of her prior offense. One other person reoffended and was currently in prison. Of the remaining 19, eleven women are successful and still in the same business, four are successful and have changed their business, two failed in their business but have not reoffended, one is struggling with her business, and one other has married and left the area.



These women were in their child-bearing years, with ages ranging between 20 to 43. While there was not a survey question regarding children, it was clear from other questionnaire responses that many participants had childcare responsibilities³.

Work. The businesses in which the women engaged were diverse. Seven had started selling groceries and cereals, while others engaged in a variety of retail (including sales of household items and charcoal) and farming endeavors (dairy, eggs). One woman started a successful knitting business, another made baked goods, and another woman attended business college.

²The number of participants was reduced from 29 to 25 due to initial failures of four participants.

³See Appendix A for further discussion on considerations for gender-responsive practices.

Probation Officers. The impact of probation officers was significant with all respondents finding them “helpful” or “very helpful”. In retrospect, it would have been beneficial to delve deeper into the specific behaviors and skills that were reflected in these answers.

Value of the Program. When asked what aspects of the program were of value to them, all participants agreed that the program increased their self-confidence. Most participants said it helped them to “see a new way of living” and to be a better mother or family member.

Recommendations for Improvement. A primary recommendation from the participants for program improvement was to provide ongoing mentoring and additional training in conducting business activities (e.g., bookkeeping, industry trends). Nearly one-third of the participants said they had a mentor, generally a family member or a friend, with only one saying they had a “business officer” for a mentor. Having a counselor or mentor with business expertise could provide invaluable skills and support to the participants.

Comparison Group Summary

Overview. PACS Kenya established a comparison group of 24 women either on probation or with Community Service Orders (CSOs) for similar offenses during the same time period as the program participants. The group came from nearby counties and the PACS Kenya team conducted the interviews in person rather than relying on phone interviews which provided some logistical challenges. The team indicated that in-person meetings would also allow them to gather information from village elders, significant others, and probation staff.

The women who were interviewed ranged in age from 18 to 50. Two women were in the 18 to 20 age range, 19 were in the 21 to 45 age range, and three women were in the 47 to 50 age range. Given the broad range of ages in the comparison group, an assumption could be made that the women had children of varying ages with many likely still in the home. This would account for concerns around challenges in meeting probation responsibilities, reporting and CSOs, that were a distance from their homes, a frequent concern for women as noted in Appendix A.

Work. Each of the 24 women reported some type of work, often referred to as casual, and examples included selling various types of food items (bananas, potatoes, cabbages, cereal), raising livestock, and domestic or retail work. In the survey, many women stated that they had to temporarily stop their work to meet the CSO requirements or that the CSO requirements inhibited their ability to engage in other casual work opportunities, or both.

Probation Officers. Without exception, each respondent indicated that their probation officer was helpful, providing examples such as informal counseling and guidance, referrals for work opportunities, providing information about possible resources, and assisting in changing prior attitudes.

Suggestions from respondents. Respondents made suggestions as to what could generally improve the probation experience for women or what would have improved the experience for them personally, or both.

Most noted was the need for financial empowerment opportunities and guidance to improve decision making and life circumstances with children and family. School fees were identified as a challenge for some respondents and woven throughout the comments was the need for services and schedules that considered women's parenting and familial responsibilities. Other suggestions included the development of outreach centers, encouraging alternatives to probation, and service assignments that could be closer to their homes.

e) Identify current and potential funding sources

The funding source for this program was an initial grant from the government of the United Kingdom acting through the Department for International Development and channeled through PRI. The amount allocated for the women's program was Ksh. 479,770, or £3,451.

Insights gained:

- The PACS Kenya team, in retrospect, would have preferred and benefited from a focused discussion at the outset of the Empowerment Project regarding what type of meaningful data could be monitored and captured. It would be especially helpful to understand what metrics might be available for lifestyle impacts – for example, increased self-esteem for the women and its effect on their parenting abilities and family situation, and interface with mental health agencies that provide treatment and support with trauma-related issues.
- At the outset of the program, available information from external sources that have attached a monetary value to certain benefits/objectives identified by the program team would be researched and identified, allowing for appropriate data collected throughout the project. External sources would include relevant university research groups, human service agencies, the courts, and law enforcement data.
- Developing structured program guidelines at the beginning of the project would have been beneficial and to that end, PACS Kenya has developed draft guidelines to be agreed upon prior to conducting any similar initiatives.
- Developing a user-friendly records management system to track data and program information would be helpful to ensure systematic monitoring.
- Including other criminal justice stakeholders in a process to refine aspects of the program would enable broader community buy-in and participation. This refinement could include clarifying criteria for participation, expanding or modifying program goals and standards, and articulating strategies for success. Having this type of expanded community support and engagement supports program sustainability and capacity building.
- Providing probation staff with additional training and skills to enhance their ability to monitor the program and mentor participants could increase the efficacy of program results, particularly incorporating gender-responsive practices when working with women.

- Partnering with an agency or non-governmental organization that can provide ongoing mentoring or business development support could significantly improve and enhance the overall impact of the program. Follow-up surveys of program participants indicated that there was limited ongoing business mentoring or support systems and many stated that such support would be beneficial.

Step 3 – Identify and Quantify Likely Costs and Benefits

Costs – Tangible

Program Costs:

- Overall direct payments to program participants: £3,451.58/Ksh. 479,770.00
- Entrepreneurial training for program participants, which included a one-day training, staff and supplies, overnight hotel accommodations for participants and trainers, daily subsistence, and transportation costs for headquarters staff: £3,712.00/Ksh. 515,970.00

PACS Kenya indicated no additional costs for staff training and overtime, or additional expenses related to oversight. Probation staff continued to do their regular duties and caseloads in addition to the oversight of offenders on this program.

Costs – Intangible

PACS Kenya stated that the workload of probation officers who oversaw the program participants did not change and there were no additional resources devoted to the program, therefore no related intangible costs were monetized. All program and fiscal monitoring aspects appeared to minimally impact PACS Kenya operations and therefore, were not monetized.

Benefits – Tangible

While there appear to be some significant tangible benefits that could have potentially been monetized, this would have required the identification of specific data points that were not incorporated into the data gathering for the development and delivery of the Empowerment Project and therefore lacking in this exercise. Potential data points could include the differential in earnings between the participant and comparison groups and how that impacted the overall standard of living for the participants and their families.

For example, PACS Kenya staff noted that the average daily earnings for program participants was Ksh. 1,000

Average Daily Earnings

PROGRAM PARTICIPANTS

Ksh. 1,000

COMPARISON GROUP

Ksh. 200-300

compared to the comparison group's average income of Ksh. 200-300 per day. While such a differential is significant, the income information would have to be obtained, verified, and aggregated, which was not possible in this review, to be a credible statistic. Similarly, an increased contribution to the community through payment of taxes and changes in consumption patterns brought about by increased disposable income would need further inquiry.

Benefits – Intangible

By its very nature “intangible benefits” are those that are less concrete and therefore more challenging to monetize. Through personal visits, the PACS Kenya team noted a striking difference between the living conditions, family stability, and resiliency of the program participants versus the comparison group. Capturing these differences through data points helps policy makers and funders to visualize the program's long-term effects, even if such measures cannot be put into a monetary formula. Below are a few examples of items that, although often considered intangible effects, could be built into a future project as quantitative and qualitative points of data collection, to demonstrate additional areas of potential success.

- Stability and well-being of children
- School attendance and student performance data; truancy and juvenile justice interface
- Stability for family and any extended family that might be living with participant
- Personal self-sufficiency and increased confidence
- Reduced intra-family feuds
- Economic/standard of living data including annual income, personal assets, income stability, status of abode

Step 4 – Calculate Cost-Benefit Ratio

Divide total cash benefit by the total cash costs to determine if the benefit outweighs the cost.

The total cash outputs for the program consisted of the direct payments made to program participants (Ksh. 479,770) and the costs of entrepreneurial training, staffing, transportation costs, and staff per diem (Ksh. 515,970). However, due to insufficient data points, it was not possible to provide a monetary value to the benefits received. Information from PACS Kenya staff who conducted in-person visits often noted the dramatic disparities in the circumstances of program participants versus the comparison group, but there was insufficient information to make quantified measurements.

Step 5 – Conduct Sensitivity Analysis (Key uncertainties and risks)

As mentioned previously, the overall challenge of objectively assessing human behavior is important to note. The women in this program are literate and have an entrepreneurial desire. Some key questions include:

- Can this be measured/quantified?
- What other skills or innate attributes, often overlooked, might participants have that could contribute to their eligibility for, and success in, similar projects? (See Appendix A sections on strengths-based considerations.)
- How much of a participant’s success can be attributed to their individual experience, skills, or the quality of the working relationship with the probation staff?
- If the success of this program is limited to a certain “type/skill” of person, does that reduce the potential number of offenders who might be qualified for the program?

These questions can best be answered by gathering relevant data up front. This is significant because having such data is helpful in efforts to expand and deepen a program’s impact. PACS Kenya staff noted the added value that could have accrued to the Empowerment Project if a more rigorous data-driven approach to planning had been adopted at the outset. Designing and implementing a more focused, gender-responsive training process for the probation officers in charge of implementing the project, may have also been beneficial.

Step 6 – Written Outcomes Report with a Clearly Articulated Set of Recommendations

This report serves as a proposed reporting template for both a CBA and CEA model.

[CEA Walkthrough](#)

Step 1 – Choose an Outcome for Comparison

A cost-effectiveness analysis considers two different initiatives targeting the same outcomes and measuring the costs of each initiative to determine which one is more cost-effective. This was not possible with this project. While Kenya does have other “empowerment programs”, they are designed for a different group of individuals and are primarily job training for young men. Because there are no similar programs, the only comparison that could be used for this project was the comparison group described in the CBA.

Step 2 – Measure the Outcome

Measure the outcomes between a comparison group, which would be same number and similar profile of women who had same criminal offenses. They would have the same criteria for participation (i.e., literacy, desire, etc.) and the same measurement for success (i.e., how many did not reoffend in 3 or 5 years).

Step 3 – Calculate the Costs (of each intervention over a specified period, including both direct and indirect expenses)

Step 4 – Divide the Total Cost by the Outcome for each Activity

The results from Step 3 and 4 would both be similar to the CBA process.

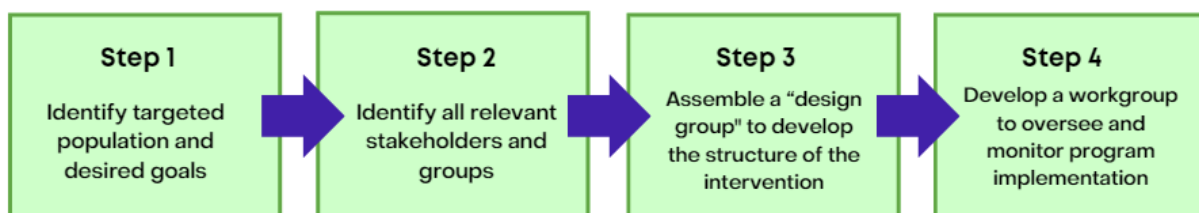
Recommendations

Through the proof-of-concept process outlined above, it became clear that a traditional CBA/CEA model requires assets, resources, and data that may not be available to many agencies. While impact evaluations can be helpful in determining the effectiveness of an initiative, they do not provide a monetary or quantitative analysis that can be derived from a CBA or CEA. For example, in the 2014 Vera Institute of Justice *Cost-Benefit Analysis and Justice Policy Toolkit*, the CBA was completed based on the data from the previously conducted impact evaluation (Henrichson and Rinaldi 2014, 5). Traditional thought is that impact analysis should always precede a CBA, however, such an analysis may require resources and skills that are simply unavailable to many agencies. This proof of concept allowed for the development of an alternative approach that can maximize available resources to obtain meaningful data

While these statements may cause some pause, the framework and the lessons learned through this CBA/CBE walkthrough provide a model within which agencies can consider what resources may be within their grasp. Additionally, accepting that certain goals may be difficult to monetize should not deter agencies from conducting these types of analysis. Rather, incorporating those goals and highlighting their benefits from a “values versus monetary” perspective allows for a more holistic and candid evaluation of an initiative.

This walk-through process provided insight into considerations and discussions that should take place prior to an agency engaging in a CBA or CEA process. Conducting these initial steps maximizes engagement and helps define and clarify program goals, all of which contribute to a successful initiative. These preliminary steps are outlined below.

Preliminary Steps Prior to a CBA/CEA Analysis



Step One: Agency should identify targeted population and identify general goals desired.

Step Two: When developing a new initiative, it is useful to identify all interested parties and potentially affected stakeholders and design a process that includes their participation and input. This inclusive process will enhance buy-in, ownership, and support for the intervention and provide a diversity of perspectives to strengthen successful outcomes.

Develop a process and plan for outreach to the groups identified and seek their input to refine goals and brainstorm strategic interventions. Input can be gained through surveys, workshops, listening sessions, or structured meetings that are focused on determined best methods to achieve the desired goals and methods of measuring success.

If the program is targeted to women, include those with experience and expertise in gender-responsive practices. In addition to gender-responsive resources internal to probation and community services, expertise may be found in colleges or universities as well as agencies that deal with childcare and interpersonal violence. (See Appendix A, which provides an overview of special considerations in gender-responsive program development.)

Step Three: Assemble a “design group” to develop the structure of the intervention. This will not necessarily be the workgroup to oversee implementation, but rather a group dedicated to developing the structure, process, and standards of the program to identify the program goals and determine how progress is to be measured.

Consider the following in developing the group’s tasks:

- Develop specific standards and processes for program participants. Do participants understand the steps in working toward the identified goals?
- Are design group participants clear about their roles?
- Have resources been identified and are they sufficient?
- Is there an identified process in engaging and maintaining stakeholder interest and participation?
- Is there an established communication process between design group participants, stakeholders, and project participants?
- Are there regularly established meetings and check-ins to evaluate progress?
- Is the timeframe for tasks reasonable and agreed upon?
- Is there an evaluation or feedback process in place and a method to assess and incorporate relevant feedback?
- Are there agreed upon outcome measures as the group works toward goals?
- Can these measures be incorporated into a CBA or CEA as noted below?

Taking into consideration the information gained in Step Two, this group should also determine the following:

- Should they conduct a Cost-Benefit or a Cost-Effectiveness analysis? A CBA calculates the ratio of benefits of an initiative to the cost of conducting that initiative whereas a CEA computes the cost of achieving a specific outcome via one initiative versus another. If there is one initiative being promoted with multiple benefits articulated, a CBA might be a better alternative. If there are two or more alternatives to achieving a goal, the CEA approach might be more fitting. Determine which of these may best serve the needs of this intervention. It may be helpful to refer to the Guide when considering one option versus the other. Ideally an impact evaluation will have been completed that explored decisions for continuing, revising, or scaling back the initiative.
- Monetary costs are not the only consideration in criminal justice policy changes. Often, the conversation around new programs and interventions are as much about behavioral change and reduction in recidivism as they are about monetary advantages. Determine which measures can be monetized and which cannot. To those that cannot, determine how to define success.

- Design the method for capturing the data that evidences effect. Determine specific outcomes and what data points would be important to measure.
- Consider what relevant budget data is available. If local data is difficult to access or incomplete, look for relevant national data or other third-party data that can be used.
- If designing a program for women, it is important to articulate the gender-responsive aspects. Consider ancillary resources that could enhance success of the program. Outreach to stakeholders and the larger community for input and assistance.
- Develop and plan for reinforcement of critical behavioral changes that contribute to the success of program participants. No matter what type of intervention is being considered, one of the key components in behavioral change is consistent reinforcement of the change. (The Empowerment Project contained several behavioral change aspects – positive enhancement of self-concept, entrepreneurial skills, business development and management, legal/financial aspects of business ownership, customer service. These skills were briefly touched upon in a one-day seminar.) The level of success can be enhanced and sustained if there is some mode of consistent reinforcement.

Step Four: Develop a workgroup that will oversee and monitor program implementation. In addition to identifying who will take on a leadership role, this group should include a variety of subject matter experts in correctional policy, as well as operational practitioners (to include experience and expertise in gender-responsive practice), and data management. Throughout the implementation of the program, consistently monitor for any elements of weakness in the program or process and be attentive to how these can be alleviated, either through change in program design or additional preparation for program participants as well as what opportunities can be leveraged.

Often as a project progresses, there will be revisions to the workgroup structure as tasks are completed, new ones are identified, or participants move on. Do not be reluctant to modify group memberships and roles as required through the program's implementation.

Closing

The goal of this report was to determine how a CBA or CEA analysis could be used by agencies, regardless of size or geographic location, to strengthen decision-making as they seek to utilize assets and resources efficiently and effectively.

The challenges of applying a CBA or CEA analysis within the criminal justice arena is two-fold. First, both analyses are designed to put a monetary value on the costs and benefits of an initiative, whereas the criminal justice field is a complex interplay of human behaviors, motivations, and interventions. There are many inherent variables and quantifying the effects of an intervention will never yield exact results. To presume that precise cost-benefit ratios can be obtained would be specious (Roman 2013). Second, there can oftentimes be a disconnect between the design of theoretical frameworks and the application of those frameworks into user-friendly informational tools. Time and resources are often in short supply within criminal justice agencies, leaving little opportunity to explore the value and utilization of theoretical concepts.

With an understanding and appreciation of those challenges, this walk-through was approached from the perspective of criminal justice policymakers and operational practitioners, rather than economists or statisticians. It is designed to be a bridge between the capabilities of a CBA/CEA framework and the realities faced by day-to-day criminal justice practitioners. Diligent pre-planning, as described herein, will assist any agency in objectively assessing its goals and allow them to utilize either a CBA or CEA as effectively as possible.

Ultimately, using the process and steps of a CBA and CEA can help agencies clarify their methods and desired outcomes of a program. It will also help to identify what components are capable of being measured fiscally and to set up a methodology to identify and collect data on those components. Additionally, it will allow them to be aware of those human or quality of life components that present significant challenges in monetizing. At some level, policy makers may have to feel comfortable with the inherent understanding that some quality-of-life issues can demonstrate value without being financially measured. This is true whether the agency has a robust data collection and analysis capability or not. To that extent, smaller agencies without those capabilities can still feel comfortable with and benefit from, using these measurement methods.

“Going through this CBA process was extremely beneficial. There were many things we discussed that we had not done before or even thought about. We know that next time when we use these steps, we will be able to get much more evidence of success than what we were able to gather in this exercise.”

– Joshua Wairuhi
Deputy Director, PACS Kenya

Appendix A - Considerations in Developing Gender-Responsive Programs

The Guide from which this walkthrough was conducted focuses on gender-responsive practices, however this pilot program, while including men and women, was not designed to address those areas that might have increased significance and relevance for women. As program implementation and lessons learned were discussed with Probation and Aftercare Services (PACS) Kenya staff, it was agreed that having a gender-responsive focus could have increased the effectiveness for the women participants. To assist agencies who are pursuing the development of programs for women, it is important to review the Empowerment Project through a gender-responsive lens.

Gender-Responsive Practices

Across the world, gender-responsive research for the past few decades has highlighted the unique needs of women (e.g., reproductive health issues) and those issues that occur with greater frequency with women and impact women differently than men (e.g., the occurrence of and impact of trauma, substance use and abuse, responsibility for children and other family members), or both. The Guide, *Alternatives to Incarceration and Community-Based Programs for Justice-Involved Women* (International Corrections and Prison Association 2020), provides a substantive overview of those needs and risks that differ between men and women, and attending to them provides greater opportunities for women to be successful individually, within their families and communities.

Through their involvement with Penal Reform International (PRI) in the development and implementation of the ExTRA initiative and building upon that success, PACS Kenya should be lauded in their efforts to reduce the number of lower risk offenders in custodial settings, and in the development and delivery of the empowerment initiative. Offered to eligible men and women, the cohort of women who participated in the program had many successes, and some considered it to be positively life-changing, even six years after delivery. Notably, women in the comparison group spoke to their desire to participate in a similar initiative and envisioned how it might also change and improve their lives, that of their children, and families. Going forth, if PACS Kenya pursues opportunities to implement another similar

“It is important that non-custodial measures are gender responsive. Many non-custodial measures and sanctions overlook the typical characteristics, roles, and backgrounds of women in contact with the law and that they can be implemented in a way which causes further harm to women or imposes a different form of harm or control by the state.” (United Nations Office on Drugs and Crime 2020, 15)

empowerment initiative with the intent to expand the number of women in the program, understanding and incorporating gender-responsive practices into the planning, delivery, monitoring and sustaining of the initiative would be important to build upon success.

“The CBA-CEA walkthrough was an enlightening experience for Kenya Probation and Aftercare Service. It applies practical techniques in designing and implementing empowerment programs for offenders serving non-custodial orders especially with a bias towards the present-day woman, who besides the traditional caregiving responsibilities has had to take up other duties hitherto performed by men.”

– Teresia Kimoko, PACS Kenya

Through conversations with the PACS Kenya team, review of the empowerment group and comparison group surveys, review of reports and documents to include PRI publications *Community service and probation for women: A study in Kenya* (Penal Reform International 2016a), *Community service and probation for women: Lessons and recommendations based on a study in Kenya* (Penal Reform International 2016b), *Evaluation: gender-sensitive approach to probation in Kenya* (Penal Reform International 2017) and the short documentary *‘Equal justice’: making community sanctions work for women in Kenya* (Penal Reform International 2016c), it is clear that the women involved in the Kenyan justice systems are not unlike women

globally with regard to risk and needs. The women represented in both groups were lower risk, had a wide range of responsibilities for children and other family members, were significantly financially challenged, had needs regarding transportation, substance abuse, childcare, medical care, and mental health support. Likewise, the women demonstrated a variety of strengths to be encouraged and supported. Strengths, that when recognized and addressed, could contribute to reducing criminal justice involvement, improving their personal circumstances, that of their children and families, as well as making positive contributions to their communities.

In the design of future empowerment initiatives offered to women, information-sharing with relevant stakeholders and training of staff in gender-responsive practices would be important. It provides a reminder and perhaps increased understanding of some of the challenges often faced by women that may interfere in their success in meeting their responsibilities to the justice system. Information on gender-responsive practices does not diminish the fact that women are still responsible in addressing their involvement in illegal activities, however, it does provide information in designing, delivering and supervising women while recognizing the realities of their lives. It also provides information for identifying and mobilizing women’s strengths, which are often overlooked, and how those strengths may contribute to their success.

Women are relational and it speaks to their connections to children, family, and other important people in their lives. When these connections are positive, it contributes to their growth and maturity. With men, their path to adulthood is seen more in terms of becoming self-sufficient and autonomous (Bloom, Owen and Covington 2003). Examples of women being relational is seen in many of the comments and recommendations from both the empowerment group and the comparison group. It was expressed in appreciation of the guidance and information they received from their probation officer for work referrals,

information about government services, informal counseling, and support for their efforts around personal improvement.

Women are often “experts” in their lives regarding what is working well, identifying challenges, and needed services and supports. This was expressed through recommendations in the survey process. In addition to desiring information and opportunities around empowerment initiatives, they wished to become more informed about finances and entrepreneurship and had a desire for increased self-efficacy. Many appreciated the role of and the need for mentoring, while also speaking to the challenges of meeting justice responsibilities, such as conditions of probation and CSO orders. An overwhelming theme woven throughout the comments was the challenge of maintaining work while meeting their court ordered responsibilities – a concern most likely expressed, on some level, by the men as well. However, for women, the expectation to maintain the household, meal preparation, ensuring children get to school as well as being safe and cared for while at home, while required to meet probation obligations, added an additional challenge to their day-to-day responsibilities.

Once the decision is made to offer the empowerment initiative to an increasing number of women, it is important to build into the design of the program gender-responsive practices and a methodology to collect data for the duration of the program. Using the structure noted in the Guide, it is recommended that questions relevant to women be incorporated into the design with an eye toward how that information could influence costs, benefits, and effects of the empowerment initiative. The Guide lays out program goals, objectives, and general considerations in evaluation as well as costs and benefits, both tangible and intangible, that should be taken into consideration. Items to include in the planning process should address those areas that research and experience has shown to affect women.

Factors to Consider in Gender-Responsive Programs

Types of Offenses: Are there differences or themes in the types of offenses for which women are arrested, convicted, and sentenced, and are there distinctions with their probation orders? For example, are women more often convicted of alcohol related offenses or petty theft? Does the offense suggest there are differences in the use of substances or that the theft is related to inability to provide for children? Are lesser assaultive offenses a result of self-defense? While consideration of gender-responsive factors in no way are intended to diminish women’s responsibility in their criminal behaviors, consideration of these factors, in the broader context, paints a more realistic picture of the behavior, underlying factors and can more accurately inform court ordered conditions and probation responsibilities.

Childcare and Family Responsibilities: Women are often the primary caregiver of children and responses in both the empowerment group and comparison group suggested that this is of concern in fulfilling their court-ordered responsibilities. Is the woman the head of the household? Is she providing care and support for other family members? Dependent upon ages of children, will there be a trusted adult present while she is fulfilling her probation responsibilities? If she is not able to be present and a trusted caregiver is not available, she

Below is a profile of women serving community service or probation in Kenya. The backgrounds and characteristics of women offenders in Kenya are similar in many aspects to the backgrounds and characteristics of women offenders in other countries.

- **Mothers with young children:** three quarters had children under the age of 18.
- **Low educational status:** only 21 percent had been to secondary school, and none had university qualifications.
- **Low earners:** the majority worked in the informal sector in agricultural and domestic activities such as hairdressing or selling household goods and food/drink.
- **Convicted of minor and non-violent offenses:** Thirty-six percent of women were convicted of selling alcoholic drinks without a license and 13 percent for other minor offenses.
- **Offending to earn money:** Sixty-seven percent said they had offended to earn money and support their family.
- **Unable to access a lawyer:** Only six percent had access to legal representation during the court process.
- **Survivors of violence:** Thirty-three percent admitted to being subjected to domestic violence at one point in their lives.
- **In poor health:** Many women interviewed were HIV positive or living with AIDS.
- **Unskilled:** Most women interviewed were semi-illiterate and unskilled.

(Penal Reform International 2016a)

is pulled in two different directions; whether she can fulfil her probation requirements or ensuring her children, particularly if young, are safe and cared for. Failure to attend to one or the other, puts the woman and children in jeopardy. For women, their children and being a responsible parent is often a motivating factor for women to desist from criminal behaviors. Designing programs and schedules to allow women to both fulfill her probation responsibilities as well as be present for her children and family can contribute to increased success.

Relationships: As noted earlier, histories of abusive relationships have affected women's decisions in developing and maintaining relationships, often a factor in their justice involvement. Many women have more experience with unhealthy relationships and exposure to and discussion about safe and healthy relationships is important. With women, the use of drugs and alcohol to mask emotional pain and to maintain relationships is not uncommon and contributes to justice involvement. Responses from both the empowerment and comparison group noted the importance of developing healthy connections, ways to improve independence and self-autonomy while also expressed appreciation for the guidance and support they had received from probation officers

History of Personal Victimization and Trauma: Research has shown that most women, particularly those in custodial settings, have experienced some form of victimization or trauma and it is often recommended to assume that this is a universal experience with women. These are experiences that often are contributory in their justice involvement, and are often linked to use of substances, as a way to ameliorate the effects of those experiences.

While both men and women have experienced victimization and trauma, often those experiences will begin for women at an earlier age and decrease for adolescent and adult men; while intimate partner violence, sexual and physical assault continue into adulthood, at increased rates, for women. Often violence is perpetrated by an

individual who is in an intimate relationship with the woman. These factors related to histories of trauma and abuse are often present in women's justice involvement. With treatment and support, women can learn and apply new skills to diminish further justice involvement, develop coping skills and to assist survivors of abuse to manage mental health symptoms (e.g., anxiety, depression).

Health Needs: Considerations for women with immediate reproductive health needs was noted in the surveys, specifically pregnant, postpartum, and lactating mothers. These are challenges that will often inform a woman's ability to meet her responsibilities, both regarding probation as well as family responsibilities. While fulfilling probation responsibilities, will there be accommodations to address these health needs unique to women?

Strength-Based Considerations: While assessing for women's risk and areas of needs is important, identifying strengths and incorporating those strengths in the probation process can have significant benefits. In reviewing both the empowerment initiative and comparison group surveys, many areas of strength were apparent. Some examples were in managing the home with multiple children as head of household, dealing with family members that have substance abuse or mental health challenges, wishing to improve their circumstances to provide for their children, asking for additional assistance in desisting from criminal behavior, and addressing anger issues, are all examples of women motivated to improve their circumstances and become a contributing member of their community.

While this is just a sampling of some of the differences to be found between male and female offenders, being knowledgeable and incorporating practices that attend to these differences can assist women in better meeting their probation responsibilities as well as fulfilling their roles within their family and community settings.



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