

# **The Private Security Industry in Kenya: Issues and Challenges**

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## **1 Introduction**

Private security enterprises are now a major feature in Africa and around the world. Anyone who has visited Kenya is familiar with being greeted by the man in a hut by the gate, watching and waiting to sit out his cold night. Beside him, attached to the gate is a hand-painted sign reading “Mbwa kali” meaning “Harsh dog!” The presence of such industries is related to a number of factors such as the state of the economy, inequality and provision of adequate and trustworthy state security. Kenya has seen increasing levels of crime in recent years. Between 2002 and January 2005 police records showed 4,467 people killed by criminals. The high and mighty, the poor and humble and even security agents have been victims of bloodthirsty killers. According to news reports, many died during car-jackings or during raids on their homes or businesses. The former British Ambassador to Kenya, Edward Clay noted that “[c]rime remains a scourge that blights the lives of all, rich and poor, from the shambas of the provinces to the offices of Nairobi and the homes of rich and poor in every town and village. Every day in Kenya, people are condemned to awake in fear and with little or no confidence in the ability of the institutions of law and order to protect them.” (cited in East African Standard Online, 16 June 2005)

As a response to the feelings of insecurity the private security industry is growing fast. This raises a number of philosophical and practical implications for Kenya, which this chapter attempts to address. It draws on extensive reading of academic literature, daily media reports, interviews and experiences from the industry members and the state security, and research on small arms and light weapons in the North Rift. The discussion is placed within the context of Kenya’s economic situation and the general insecurity that is being experienced in the country.

## **2 Socio-Economic and Political Context**

Since Kenya’s political independence in 1963, the country has continued to experience varying economic performance. With an area of 580,000 square km and a population of about 30 mio., the country has generally experienced poor growth, which is reflected by the continuing decline in several economic

indicators. In 1963, Kenya had a per capita income of 85 USD, which rose to a meager 270 USD by 1993. Currently, the country's GNP amounts to 10.6 bio. USD and per capita income is 400 USD (that is little more than a dollar per day, one of the lowest amongst African states in this respect). (UNDP 1999, 2000a, 2001; Central Bureau of Statistics 2002) The figures indicate an increase of 185 USD within 30 years, i.e. an annual increase of 6 USD. The Gini and Human Development Indices are 44.5 and 0.513 respectively. Life expectancy has fallen from 58 to 44 years between 1986 and 2003. This is likely to drop further due to the low standards of health care and the HIV/AIDS epidemic mainly affecting those aged 20–35. (African Development Bank 2005: 11f.; World Bank 2005; UNDP 2003, 2005) The figures reveal that since independence Kenya remains among the low-income economies of the world.

The country's economic performance has been, to some extent, determined by the industrial strategies that were adopted in the past four decades. Broadly speaking, two distinct industrialization phases can be distinguished. In the 1960s, Kenya adopted the import substitution industrialization strategy. The emphasis on this strategy is evident in some of the country's policy documents such as the Sessional Paper No 10 of 1965 and the 1966–70 Development Plan. The import substitution phase (1964–79) was characterized by policies, and incentive structures that tended to heavily discriminate against efforts to export. The second phase is that of export promotion and adjustment (1980 to date). This has been marked by the shift from an inward-looking import substitution led industrialization to an export-led industrial growth (Government of Kenya 1979). The adjustment period can be subdivided into three phases. The first phase ran from 1980–84 and witnessed implementations of few reforms with little impact on the performance of the industrial sector. The second phase was that of export promotion (1985–90) characterized by the initiation of market based incentives and an institutional framework to encourage production of manufactured goods for export. The third phase occurred in the 1990s when a struggle for political pluralism and the adoption of multi-party politics were also accompanied by adjustments towards a liberalized market-based economy. These reforms have had a deleterious effect on Kenyan politics and development.

Since the mid-1990s, the country has experienced five years of consistent economic decline with a per capita GDP annual growth rate of -0.6% between 1990 and 2001. It has been argued that this has contributed to increasing unemployment and general insecurity. Subsequently the economy recovered somewhat to register a modest growth of 1.5% in 2001 (Government of Kenya 2002), and since 2003 the National Rainbow Coalition (NARC) Government has been taking several steps to improve the situation

further, leading to a 4.9% growth in 2004 and a 5.8% growth in 2005 (Government of Kenya 2006). This recovery has been driven by strong growth in key sectors such as agriculture, manufacturing, tourism, building/construction and transport/communication. Other factors have also contributed such as favorable weather, increased demand for information and communication services, favorable tax reforms and expanded markets through the Africa Growth Opportunity Act (AGOA), the Common Market for Eastern and Southern Africa (COMESA) and the East Africa Community (EAC). (Government of Kenya 2006)

However, many commentators and anecdotes suggest that this economic growth has not improved the living-standards of many Kenyans as strong inequality persists: "Poverty, in all its dimensions, is endemic and has worsened over time. It is exacerbated by a very high degree of inequality." (Lundström/Ronnås 2005: 5) Poverty and inequality is to a large extent not a natural phenomenon, but a consequence of decades of public policies and private corporate practices that have continued to benefit a small section of the society at the expense of the majority. Expansion of the economy alone would not reduce poverty unless the growth is shared equally among a wider majority of the society through well-crafted, deliberate and concerted private and public sector efforts.

As noted, the Government of Kenya (2006) has got some things right and must be commended for investing substantially in education. In the 2006–07 financial year, the country has substantially increased its allocations to health, education, agriculture/rural development and infrastructure. Possibly the one area where the NARC Government has won deserved accolades is the education sector. Since 1963, successive post-colonial governments have emphasized education as the vehicle for human resource and national development. However, concerns for the sector began to acquire a new dimension in 2003 when the NARC Government rolled out the Free Primary Education Programme. The Government has continued to improve the quality of universal access to primary education by, among other things, improving financial management and accountability in schools, rationalizing deployment of teachers, targeting bursaries to the poor and orphaned children, expanding and improving educational facilities countrywide. When the programme was launched in 2003, it faced myriads of problems including lack of adequate teaching and learning materials and misappropriation of funds by some heads of schools, but these have been tackled with some degree of success over the last three years. Today, the enrolment rate in primary schools stands at 7.6 mio. pupils up from 5.9 mio. in 2002 when the NARC Government took over office.

However, the government's ability to stimulate economic demand through fiscal and monetary policy remains fairly limited and the pace at which the government is pursuing reforms in other key areas remains slow. The Privatization Bill is yet to be enacted and civil service reform has been limited despite the government's assertion that reforms would be undertaken. The main challenges include building consensus within the loosely bound NARC government, taking candid action on corruption, enacting anti-terrorism and money laundering laws, bridging budget deficits, rehabilitating and building infrastructure, maintaining sound macro-economic policies, and addressing structural reforms needed to reverse the slow economic growth.

Nairobi continues to be the primary communication and financial hub of East Africa. It enjoys the region's best transportation linkages, communications infrastructure, and trained personnel, although these advantages are less prominent than in the past years. A wide range of foreign firms maintains regional branch or representative offices in the city. In March 1996, the Presidents of Kenya, Tanzania, and Uganda reestablished the East African Cooperation (EAC). The EAC's objectives include harmonizing tariffs and customs regimes, free movement of people, and improving regional infrastructures. In March 2004, the three East African countries signed a Customs Union Agreement.

Demographic, socio-economic and political factors have greatly impacted on the urbanization process resulting in varied urbanization levels, trends and patterns at both the provincial and district levels. Urban population has grown from 3.8 mio. in 1989 to 9.9 mio. in 1999, constituting 34% of the total population and is projected to grow to 16 mio. by 2005. Due to rapid urbanization the country is currently experiencing major problems of proliferation of slums, insecurity and armed violence, environmental degradation and deteriorating public health services.

Politically and particularly since the reemergence of multi-party democracy, Kenyans have enjoyed an increased degree of freedom. The Inter Party Parliamentary Groups (IPPG), a reform initiative of 1997, revised some oppressive laws inherited from the colonial era that had been used to limit the freedoms of speech and assembly. These improved public freedoms contributed to generally credible national elections in December 1997. In December 2002, the Kenyans held democratic and open elections, which were judged free and fair by international observers. The 2002 elections marked a milestone in Kenya's democratic evolution in that power was transferred peacefully from the single party Kenya African National Union that had ruled the country since independence to a new coalition of parties, the National Rainbow Coalition (NARC). Under the presidency of Mwai Kibaki, the new ruling coalition promised to focus its efforts on generating economic growth,

combating corruption, improving education, and rewriting and finishing the draft constitution. The Bomas draft envisaged a republic at peace with itself and its neighbors. However, the initial draft was revised by a small unrepresentative group, and known as the Wako draft. On 22 July 2005, parliament voted to adopt a new draft constitution, which was put to a national referendum in November 2005 and rejected by a vote of 57% against 43%. The new government has been preoccupied with internal wrangling and power disputes and little has been fulfilled of their manifesto.

### **3 Problems of State Security**

Past and present armed conflict in the Horn of Africa has provided a facilitating environment for the proliferation of small arms in the entire sub-region. According to former Chief Licensing Firearms Officer Stephen Olempesha, 75% of the country is awash with illicit arms. Control and management of the firearms circulating in civilian hands is still a concern for public security with frequent news of armed criminality in the country's media. Reports have described armed robberies in major urban areas, political violence, violent killings, road ambushes, cattle rustling and very recent 2002–04 robberies of passengers on public transport (without harming the people but taking all their possessions and sometimes undressing them to find valuables!). Police records showed 4,467 people killed by criminals between 2002 and January 2005. Figures were approximately equal over all provinces except for the North Eastern province, which reported only 32 incidents in the past 2 years. However, anecdotal evidence and knowledge of lack of police presence lead one to consider this highly doubtful.

On 14 January 2006, Kenyans woke up to the news that Ms. Joan Root, a wildlife filmmaker and conservationist had been murdered at her Lake Naivisha home in the middle of the night (East African Standard, 27 January 2006). On 31 July 2005, Mrs. Margaret Wachira, a Senior Principal Magistrate in Kiambu, was attacked during a church service. In July 2004 another attack on VIPs took place. Armed gangsters with pistols and crude weapons raided two former Cabinet Ministers Jackson Kalweo and Odongo Omamo and robbed them in the affluent privately protected Runda Estate. The thugs raided the city home of former Minister Jackson Kalweo and made away with cash and assorted goods worth thousands of shillings. These incidences portray the disturbing depths to which insecurity has grown in Kenya. The most shocking recent incident was a brutal murder of a 13-year-old schoolgirl in Nairobi suspected to have been carried out by lawless Mungiki sect members.

The deceased's face had deep cuts, apparently inflicted by a blunt object, and her underwear, socks and bike were missing.<sup>1</sup>

The situation is aggravated by the unchecked flow of small arms into and within the country. The flow of small arms and light weapons into Kenya and the Horn of Africa dates back to the colonial period and the Cold War era (Mkutu 2003, 2005, 2006b). Throughout the colonial period, arms were brought into the region in vast quantities in order to protect the regime's interests. Later on, from the end of World War II to the collapse of the Soviet Union in the late 1980s, arms were used as a key instrument of diplomacy on the African continent. Left and right wings used arms to gain influence, and allegiance of developing countries, and to fight proxy wars. Arms delivered during this period not only served the ideological struggle for supremacy (Makinda 1982; Lyons 1975; Porter 1984; Lefebvre 1992), but they also enhanced regional hostilities and increased internal instabilities within nations. Small arms brought in during this period have become difficult to account for and are very challenging to control (Mkutu 2005, 2006). Some scholars argue that there are more than enough weapons in the region to fan conflicts for decades to come (Brzoska/Pearson 1994; Gilkes/Plaut 1999). Somalia, e.g., has become a failed state, governed by warlords.

The problem of the proliferation of illicit small arms in Kenya is further deepened by the inability of the postcolonial state to extend its legitimate institutions of governance to marginalized areas. The most affected areas lie on the periphery of the Kenyan borders and also border the underdeveloped regions of neighboring countries and have received less attention as essential participants in economic and political affairs of the nation. The weak governance has led to a loss of trust and confidence in the public security apparatus and the development of 'zones of insecurity'. Over the years such zones have disproportionately borne the brunt of the draconian policies, witnessed in the Northern frontier district and Pokot-Turkana areas. For instance, following the outbreak of the Shifta war in the 1960s, the government imposed a state

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1 The sect is believed to have been formed in 1998 by some young students in central Kenya to undermine the government of former President Daniel Arap Moi who they claimed had stolen the power from the Kikuyu. The sect has been assuming a new mode of operation, using AK-47 assault rifles instead of clubs, machetes and swords. Some guns are alleged to have been robbed from police stations. Some police Mungiki sect members pray as they face Mount Kenya, which they believe to be the home of their God, Ngai. Since the late 1990s, the sect has left behind a trail of blood in its rejection of the trappings of Western religions and culture. God justifies their killings, they believe, because Kenyans had abandoned their traditional religion. The killings, therefore, are to pass a message to Kenyans that they must abandon western religion and return to their traditional one.

of emergency on the northern frontier district, which lasted until 1992.<sup>2</sup> Since the Shifta war, the province has continued to experience banditry, low-level insurgency and general insecurity. Unfortunately, insecurity has spread to the other pastoral areas engulfing the whole of northern Kenya up to the Ugandan border. To date, the entire northern corridor of the country is insecure with the situation made worse by the prevailing semi-arid climatic conditions, which leads to competition for resources between neighbouring groups. These regions in the last 15 years have become routes for small arms flows into Kenya, from the countries in conflict in the Horn of Africa. Arms flow via the pastoral areas where they are used in cattle rustling, road ambushes, and human and property security, in the absence of formal state security (see, e.g., Mkutu 2003, 2006; Gomes/Mkutu 2003).

Recently, Catholic bishops requested President Kibaki to use his powers to curb crime and insecurity in the country. The bishops particularly wanted the Government to step up security in northern Kenya by putting up police stations in districts bordering Somalia, Ethiopia, Uganda and Sudan. The statement, released by Kenya Episcopal Conference chairman Cornelius Korir, came barely a fortnight after the killing of Isiolo Catholic bishop Luigi Locati in the northern district of Isiolo and more than 90 people at Turbi Village in neighboring Marsabit.

As pastoral and marginal areas become saturated with arms, they act as suppliers of arms to urban centers, which were previously untouched. Urban development has attracted enormous populations from the rest of the country including marginalized areas, refugees and migrants in search of employment. Urbanization has been marked by both the proliferation of slums and the decline of public security services, opening the window of opportunity for the proliferation of small arms. Nairobi, in particular, has been affected by the replication of 'zones of insecurity' into urban settings causing many citizens and parliament members to demand the arming of private security companies.

There has been talk on the need to reform the security sector, however it is yet to translate into meaningful steps. Police Commissioner Hussein Ali was appointed to office a year and half ago in the hope that a man from the armed forces with fresh ideas would help to arrest the surge in crime. Ali assured he would deliver without tumbling to political pressure and dismissed several Kenya African Nation Unity (KANU) era police officers accused of corruption. More armed policemen were seen in towns and carjacking reduced due to the new tactics. Recently he introduced community policing

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2 The Shifta war was a rebellion against the Kenyan government fought mainly by people of Somali origin who wanted to secede the predominantly Somali populated Northeastern Province of the country to be part of the Republic of Somalia.

and relaunched the criminal investigation department. Yet, a year and a half later, perception and experience of police officers as brutal and corrupt has not changed. "The impact of the community policing project has not been felt beyond the television cameras. It was sponsored by large businesses whose major concern was their own security, and no efforts were made to reach out to the public." (East African Standard, 3 November 2005)

Many Kenyans no longer report cases to the police for lack of trust. "Ordinary police confess that big money still determines who is arrested and charged and that the pay increases made in 2003, and reforms have made their proclivity to partake in crime more complex, and lucrative while also escalating intra police rivalries, tribalism etc, many ending in executions of colleagues." (Kenya Times Online, 9 October 2005) Father Gabriel Dolan states that reform in the police is not possible without committed reformers; we will thus continue to have a police force that resembles that of the colonial era.

#### **4 The Emergence of PSCs in Kenya**

The global demand for privatization has become a dominant theme in international politics and policy over the last decade. In the west, this is mainly in the realm of defense, as a result of cutbacks since the end of the Cold War, but in Africa this has been seen as a panacea for economic decline. It has pervaded almost all the sectors of the economy and continues to generate considerable academic literature, debate and interest. Privatization is simply understood to mean the divestiture of public enterprise to private owners and more generally the placing of a larger share of the economy into the private sector. The economy is hoped to flourish under the forces of demand and supply. However, Forester and Mure (1991) note that what has been labelled as privatization is a very mixed bag.

PSCs can be defined as companies that provide security services for a profit, such as guards to business premises, public buildings and residential areas. They "are corporate endeavours that perform logistics support, training, security, intelligence work, risk analysis and much more" (Avant 2004: 21). Privatization in Kenya has been previously confined to the sale of public enterprises and reform of the civil service. However, in Nairobi in recent years, according to data collected in 2002 there were nearly 450 PSC companies while in Kitale there were 22 PSC companies. In the entire country there are an estimated 2,000 companies, a figure which continues to increase.<sup>3</sup>

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3 Data based on interviews with security companies and government security officers in Kitale and Nairobi in the year 2002.



Provision of security to citizens and properties remains a major challenge to many developing countries. Security is a critical component in ensuring economic recovery; without security there is no development; security is a prerequisite and paramount in guaranteeing the generation of wealth and reduction of crime and insecurity. As declared by John Stuart Mill, “security is the most vital of all interests and (...) security of person and property (...) are the first needs of society” (cited in Acton Burrow 1972: 55, 355). Dawisha and Zartman (1993: 7) look at the role of the state in the provision of security to individuals and define the state as the authoritative political institution that is sovereign over a recognized territory. This definition rests on the following functions: the state as the sovereign authority, the accepted source of identity and the arena of politics; the state as institution and therefore a tangible organization of decision-making and an intangible symbol of identity; and the state as the security guarantor for a populated territory. (Zartman 1995: 1) He further argues that a weakening of one function slows down others with it, and it also becomes hard to determine an absolute threshold of collapse.

With the challenges of globalization there is a major shift in the security sectors with the emergence of different providers. The absence of effective state security in many parts of the country and the inherent institutional and structural limitations compounded by corruption has made many people lose confidence in the ability of the state apparatus to guarantee security. It is clear that the proliferation of PSCs is, in part, a response to the demand for human, personal and property security (Kenya Times, 21 December 2004). This section examines some of the key issues and challenges within the Private security sector (PSS) in Kenya. For example, in 2005, the residents of Eldoret protested against what they termed police laxity in containing rising crime. “They claim police have left them at the mercy of armed robbers and muggers, who terrorise them day and night. They said they were considering hiring vigilante groups to protect them as they had lost faith in the police.” (East African Standard, 11 March 2004)

The private security industry implies the ceding of the state sovereignty on matters of social control in terms of maintenance of law and order and in resolving localized community disputes and crimes. Though Samuel Mwaura of Kenya Private Sector Foundation (KPSF) defines it as “giving opportunity to communities to play a bigger role in the provision of security particularly in the area of public safety (police work),” he argues that it is “the key to resolving the problem of security” (Mwaura 2002). However, the privatization of security should not be taken to mean the state surrendering the responsibility of providing security in the hands of private individuals, but rather should be viewed in the whole realm of security sector reform espe-

cially in urban areas where security structures exist.<sup>4</sup> The role, whether positive or negative, of the private security firms in Kenya's security sector should neither be underestimated nor ignored.

## 5 Methodology

Both primary and secondary methods have been used in the data collection. Primary data was collected through participant observation, in-depth interviews, questionnaires, site visits and secondary data through archival research. The areas visited between July and September 2002 were Kitale where 22 companies were visited and Nairobi where a smaller number of companies could be accessed. In-depth interviews were used for top government officers, top municipal officers, owners of private security firms, and some of the guards. Interviewed guards were able to provide the names and locations of security companies. The researchers then made appointments with managers where possible. The open-ended questions allowed the respondents to state their views and provide a wealth of information about the various issues the industry faces. Some of the questionnaires were conducted by self-completion, but most of them were face to face due to the illiteracy level among many.

The work has its limitations in that some interviewees would accept appointments, but not keep them, and some were every evasive. In the areas of operation costs and number of employees by the PSC, they were unwilling to provide any information due to the high competition in the security business (Ruteere/Pommerolie 2003: 593). Fear of loss of jobs dissuaded some employees of PSCs. Bitter memories of poor working conditions prevented some guards from giving their full story, becoming emotional and being unwilling to talk further. Police were reluctant to give any information, since questions on security are assumed to be a state issue, junior members were unwilling to speak and top members were inaccessible or too busy. No data exists on where security companies are located and how many exist. However, the limitations were overcome to some extent by the interview techniques mentioned above and the study is able to come out with some interesting issues and challenges. The work has been updated by reviewing local Kenyan papers especially with regard to the new debate of arming private security companies.

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4 Care must be taken when using the term Security Sector Reform. In our case, security sector reform is only viable in urban areas where structures exist that can be reformed. However, in most pastoral areas in the region, governance is weak, hence very few legal and security institutions exist, hence nothing can be reformed.

## 6 An Overview of the Private Security Sector in Kenya

Private sector involvement in the enterprise of law and order is now quite substantial. Sherman (1993) classifies security services into three groups: watching, walling and wariness. Watching refers to observing people and places that criminals may attack and apprehending criminals in the act. Walling describes action designed to prevent criminals to persons or property through locals, bars fences, or and other obstructions. Wariness characterizes adjustment in behavior to avoid crime, such as self-defense or fire arms classes, staying at home at night and leaving lights on when away from home (Sherman 1983). All these are now on the rise in Kenya, where PSCs are now providing defensive services mainly guarding individuals and property.

Studies have shown that in the recent years there has been a dramatic increase in security firms in the country. The cost is also rising faster in the public sector than in any other major sectors of the economy. A research done in 2001 revealed there are over 450 security firms in Kenya with much concentration in urban centers though most of them were not reputable companies.<sup>5</sup> Out of the nearly 2,000 PSCs in Kenya only 900 are registered and less than that number are able to provide basic wages and facilities to their employees (Daily Nation Online, 27 March 2005). Many are formed on a purely commercial basis hoping to cash in on the distrust the public has towards the police force as far as crime prevention is concerned. Kenyans, particularly those in urban centers such as Nairobi, feel very vulnerable to attacks day and night and especially at months ends public holidays and weekends. Virtually all commercial premises and tens of thousands of domestic properties now have around the clock guards and many have alarm systems. It is estimated that there are 300,000 guards on shift during any 24-hour period and some 40,000 alarm systems. Currently, in all major towns in Kenya, private security firms offer cash-on-transit security services to banks, registered mail delivery for groups like Securicor and other companies or individuals. Recently, PSCs have been suggested by the government for transporting prisoners. Alarm systems range from basic push buttons sirens to highly sophisticated space protection system linked to radio-controlled back up. PSCs who are not armed then pay the government for armed police to escort them! Most embassies, commercial corporations, aid agencies and private citizens are increasingly using private security companies, most commonly for risk analysis, staff training and professional advice on managing particular crises and to provide guards for site protection. This raises ethical questions: Does it mean that the Kenyan government cannot protect

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5 Interview with top private security company manager, Nairobi, 29 August 2002.

these agencies? Does the government contribute to privatising security leading to a situation in which security a privilege available only to those who can afford it? (see Brabant 2002)

In urban centers residential associations increasingly address security issues, hire security companies and pay them directly. They also build window bars, and other protective devices. A popular cheap alternative to this is to hire individuals particularly pastoralists such as Samburu and Masai who are traditionally used to defending property and are found to be trustworthy.<sup>6</sup> They provide security services to residents of certain flats or courts. Despite the inherent risks of such arrangements they are popular in Nairobi. There is also the emergence of vigilante groups, which are not permanent groups, but rather loose associations of slum youths who are easy to mobilize at short notice. Sometimes they are dangerous gangs allied to particular political parties or ethnic groups. They take care of certain estates and sometimes they have been blamed for actually participating in organizing criminal activities. More and more prevalent now are such slum vigilantes. This can be likened to the former homeguards in pastoral areas.

In Kenya, police officers can be hired privately and the force is paid for this service but not the individual. However, this phenomenon has been abused in some areas. For example, in areas where state presence is lacking police officers provide security services for a fee as a private arrangement. This is true in places like Lokichogio. Even in some estates nightclub owners have engaged the services of police officers privately without the consent of the Officer in Charge of Police Division or District (OCPD).

The Kenya Security Industry Association (KSIA) is an umbrella organization that attempts to bring together PSCs in optional membership. Its main objectives are (1) to establish, monitor and maintain quality standards and good practice in the industry; (2) to provide a central forum to discuss common issues and represent industry interests; (3) to provide a central organization for liaison with government police emergency services and other organization in the public interest; (4) to coordinate resources for commercial professional and public education on security issues technology and practice; and (5) to set up and service the KSIA Charter as an effective customer assurance programme (Daily Nation, 5 April 2001).

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6 The trend of employing pastoralists in this way is increasing. A former senior DFID employee in Nairobi who has done extensive work amongst the Borana, says they are frequently employed as security guards, as the cattle in the pastoral region are diminished due to raiding.

## 7 Categories

Two distinctive security organs exist; the formal and informal. The various tiers in the region are shown in Figure 1. Formal security services are offered by the states. Non-state actors provide the informal security services. The informal sector can be subdivided into two categories: the private security companies, which are officially registered as business entities<sup>7</sup> under the Companies Act of Kenya and the Informal Sector Security Groups (ISSG) or so-called vigilantism.

There is no scholarly agreement on what exactly vigilantism is. Rosenberg and Sederberg (1976: 4) whose definition is extensively used (see, e.g., Kowalewski 1982, 1991; Little/Sheffield 1983), suggest vigilantism is “established violence”, perpetrated to further “conservative” ends, and “designed to create, maintain, or re-create an established socio-political order”. Johnston (1996: 226) sees a key feature of vigilantism as “a voluntary activity engaged in by ‘active citizens’ without the states’ support”. Abraham (1987: 179) notes, similarly to Johnston, that vigilantes are a populist grass-root development. He also suggests that they may be used and abused by specific sectors of a local population. There is always a strong element of self-help in them, but it is always self-help in the context of the state. He further notes that they often operate in the shadows rather than the bright lights of consensus and legitimate authority, and the boundary between vigilante and criminal, like that between heroes and bandits or patriots and traitors, is both fluid and manipulable. In the recent past, the vigilante has been a cause of major concern for the public. Groups like Mungiki, Jeshi la Mzee, Jeshi la Embakasi, Bagadad boys, Chinkororo, Jeshi la Embakasi, Taliban, Sungu Sungu, Kaya Bombo boys and some private body guards for hire have attracted public attention due to their political links.

Figure 1: Security Services

Various tiers of security monitors	Formal sector in security services (FSSS)	Informal sector in security services (ISSS)
Regional	Peacekeeping forces	Guerrilla/rebel alliances
National	State-owned armed forces	Rebels and militias
State/local	Para-military and police forces	Militias and warlords
Community	Vigilantes, homeguards, Kenya Police reservists (KPR) and PSCs	Vigilantes, homeguards, warriors and private body guards

Source: Mkutu 2005

<sup>7</sup> Please note that they are not registered as security firms.

## 8 Issues and Challenges in Private Security in Kenya

### 8.1 *Policies, Law and Institutional Framework*

In Kenya research found that PSCs are registered as business enterprises under the Companies Act. Therefore, they are categorized as a business and not a security firm, though whoever is starting the business must also inform the police and produce a certificate of good conduct. In Kitale most of the PSCs interviewed were owned and started by ex-police or military people.<sup>8</sup> They are governed only by the very general business laws that apply to the operation of any company, such as trade licenses, council by-laws, Factories Act and labor laws. The Memorandum of Association (MOA) states the functions and limits of the company. This MOA also determines the taxes, classification in the registry and their licenses. Generally, some security companies have limited liabilities, and in case of damage, they pay or compensate the client. This legal framework governing the provision of private security has a number of problems.

Absolutely anybody can register a security company, set up a shop, advertise and start charging clients. The Act does not provide for any necessary relevant skill or expertise in security matters, nor does it vet the integrity of the managers. The law does not compel the companies to compensate the client for damages or loss of property. Neither does the law call for a minimum capital requirement. Such a requirement is important because if security companies are to compensate property stolen under their care, this can only be done if a certain amount of money is required at registration. This would professionalize the industry and discourage investors with quick-profit motive. The current registration requirements are not geared towards the specific needs of providing protection for individuals. Because of lack of accountability some companies may deceive clients. In a recent case, e.g., a security firm purported to be armed while it is known that PSCs are not armed in Kenya.

There are no standards to define and control the quality of any security product or service. A security guard is simply a person, sometimes provided a uniform and given a rungu (stick), a spear or bow and arrows, and taught for a few days how to march and salute!<sup>9</sup> The main issue here is complete lack of rigorous background checks of criminal records or military service records. If the government requires all touts (taxi drivers) to have police checks, surely, PSCs should be required to do so also. People's lives and property are at risk if ex-criminals are not filtered out. Such a process of checking occurs in the police. Similarly, a collection of wires, button and bells can be assembled by

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8 Based on interviews conducted between July and October 2002.

9 Based on interviews conducted between July and October 2002.

anyone and marketed as electronic alarm systems. No law exists to govern their design and installation and therefore their reliability is not guaranteed. One can claim to have mobile backup services without having any because there is nobody to regulate this.

Because PSCs are registered as business enterprise no law defines their relationship with the existing security apparatus such as law enforcement agencies and, in particular, the police. It is therefore necessary to define the relationships between the organs of security and the PSCs. Kenya Police Reservists (KPR) are similar in nature to PSCs in that they are being used to complement the work of the police in pastoral areas such as Samburu, Turkana, West Pokot, Wajir, and Marsabit and some urban areas. The KPRs do not receive a salary, and continue their local occupations, but are supplied with arms and ammunition by the state. The KPRs, unlike vigilante forces in other areas, are embedded in law.

## 8.2 Location

Figure 2: PSCs in Kitale, 2002

Name of PSC	Size Large = more than 20 employees; Medium = 10–20 employees Small = less than 10 employees
Kenya Securicor	Large
Bravo	Medium
Bulls	Medium
Patriotic	Medium
ADC	Small
Cause	Small
Gosi <sup>10</sup>	Small
Juha	Small
Kali	Small
Muruga	Small
Renamamu	Small
Skylight	Small
Tisina	Small
Pillars	Ceased
Sirikwa	Ceased
Wykem	Unknown

Source: Interviews and visits in Kitale in 2002.

<sup>10</sup> Based on an interview with George O.S. Imbugo, Gosi's Managing Director in July 2002.

The law is also silent on the nature of office location of the firms. A business should be located in an area that is accessible to the customer. In Kitale alone, there were more than 22 PSCs with the only reputable company being Kenya Securicor with nearly 9,000 employees countrywide. The other company that looked reputable by the fact that it had an office with staff was Bravo. Most of the PSCs and in particular the small ones visited were located in questionable areas, e.g., two of the PSCs visited were located in shanties inside a car garage. In Nairobi several of the PSCs were located in the industrial districts. These included Wells Fargo and Securicor Kenya Ltd. The location of PSCs and manner of operations have implications. Also, one wonders how the clients get hold of the offices in case of emergency since some of these firms do not possess proper offices.

### 8.3 *Minimum Wage*

Interviews with several guards indicated that most companies pay low wages which do not allow the guards and their families a decent living nor even put food on the table for their families. Most guards interviewed in Kitale received about 1,500 Shillings (21 USD) per month! In Nairobi it was a similar situation with some being paid as much as 4,000 Shillings (55 USD) per month. By comparison, a one room rent in a poor slum is 2,500 Shillings per month. The exploitation is evident when one considers the takings each month. Some also noted that they are denied basic rights such as attending the burial of close relatives.<sup>11</sup> Employers were afraid to allow their staff to be interviewed. The guards have attempted to call for justice. However, appealing to the state or labor officers was met with bureaucracy or labor officers and union representatives demanded 'kitu kidongo' (bribes) before they represent their problem.

Such low pay is an incentive to crime, particularly against those they are employed to protect. Most guards interviewed indicated that the majority of burglaries in urban towns, especially in homes and shops, were committed with collusion of the guards. A lawyer interviewed in Kitale who also owns business premises gave his story: "When I was still constructing my building, many of the materials would be stolen. Some of the PSCs came to request if they could guard my premises. I decided to employ a private watchman and since then, the stealing stopped. However, my investigation found that the theft was organized by the PSCs so that I could give them the responsibility of guarding my premises."<sup>12</sup> An interesting finding in Kitale was that the

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11 Interviews conducted in Nairobi and Kitale between July and October 2002.

12 Interview with a prominent lawyer in Kitale on 31 July 2002.



collapse of many small PSCs in some towns reduced crime!<sup>13</sup> The new bill in parliament suggests a payment of a minimum wage of about 9,000 Shillings (123 USD) and standards aiming at the prevention of exploitation or abuse of employees. But 9,000 Shillings paid to someone guarding millions of property and putting their life at risk is still inadequate compared to other wages in Kenya.

#### 8.4 *Education and Training*

Traditionally under the colonial government, police and security firms required strong individuals with 5 feet and 8 inches in height and a chest measurement of 32 inches, who could perform well in a long-distance race! Such a standard is still maintained for the police, but less so for PSCs. People employed as security in most Kenyan PSCs have a low level of education if at all, which historically goes back to the post-colonial administration which did not insist on education beyond primary school for the police force. Serious recruitment of the forces emerged in 1952 when law and order had to be maintained during the Mau Mau uprising. People with higher education would not venture into security due to the nature of risk involved, and its low status and poor conditions. These low-level criteria used by the colonial and, to some extent, also the post-colonial governments are to be found in most areas of private and public security. From independence on, the Kenyan African Preparatory (KAP) Education Level became a requirement, but most security firms in Kenya still suffer from the tradition of employing uneducated groups. Judging from our visits of the 22 private security companies in Kitale, plus several others in Nairobi, and from random interviews with guards, most of those interviewed that took care of the security of shops, homes and offices did not complete primary school, due to failure of exams, or lack of resources.<sup>14</sup> An uneducated security guard is easier to command and control. Additionally, since they have little bargaining power, PSCs do not have to pay high salaries. They are easily fired and do not have the capacity to take the employer to court. Only a few well-educated guards are employed in the management cadre and this is only in reputable PSCs.

Those interviewed noted that they were only given a few hours of how to march, given a rungu (club) and sent to guard premises. Education and training impart appropriate attitudes to an individual, which is important in the delivery of effective humane customer services. It is an explicit requirement of human-rights instruments to educate and train anyone doing security. Minimum training in public relations, investigation and even defence will

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13 Interviews conducted in Kitale in 2002.

14 Interviews conducted in Nairobi and Kitale in 2002 and 2003.

improve the performance of the security guards. Codes of behavior have been developed for all professional and policy agencies. As guides to action they serve to remind members of the group what is expected of them. They provide a common vocabulary for the discussion of difficult issues; they establish and reinforce shared values; and they militate against adverse aspects of the occupational culture and malicious external influences. It is increasingly being recognized that the dissemination of codes of behavior is one of a number of means whereby standards of professional competence can be fostered within security agencies, but there is no professional code of ethics guiding the PSCs. Professional ethics will place great responsibilities on them and has considerable impact on the relationship between the PSCs and the public. Lack of a law that regulates the code of ethics implies they operate in a vacuum and just in the way they deem appropriate. Constant monitoring and supervision are also necessary to guarantee that individual PSC guards are properly accountable for their acts or omissions and the systems and procedures adopted in PSCs are sufficient to ensure that PSC practices is lawful, ethical and humane.

## **9 Emerging Issues**

### *9.1 Arming Private Security Companies*

The debate on arming private security companies is receiving growing attention (see, e.g., Daily Nation, 27 March 2005; Kenya Times, 19 April 2005; East African Standard, 9 November 2005). The incidents or uses of arms in criminal activities are numerous, a recent example being the Ngong area of Nairobi where ruthless gangs operate with impunity. This has caused pressure groups and sections of the public to advocate the arming of private security guards as a means of control (Kenya Times, 19 April 2005). A bill is waiting in parliament on whether to arm PSCs. This year, the Kenyan Attorney General Amos Wako published a draft bill, following suggestions made by the Office of the President, which sought to have private security company guards with arms instead of the current weapon, which is a club. The proposed bill would also shut doors on the employment of primary school leavers and demand that the National Security Intelligence vet recruits. "A registered security service provider, being a corporate body, may, subject to the provisions of the Firearms Act and any other written law, provide weapons for the use of the personnel in its employ" according to Chapter 22 of the 21-page draft. The bill also proposes the establishment of an authority to regulate private security firms and ensure they do not become part of the

crime ring. (East African Standard, 5 July 2005) The Government has also proposed to arm City Council askaris (guards).

David Mwenje, the MP for Embakasi and former chairman of the Parliamentary Select Committee of Security, stated that “[t]he country is under siege as thugs continue to take charge (...) I support the move to arm the watchmen because our police have been unable to contain crime.” (Daily Nation Online, 4 November 2005) And MP Mirugi Kariuki who is former Assistant Minister in the Office of the President said that “[t]he government is working on the Private Security Provision Bill, which will look into the possibility of arming private security firms.” The MP for Budalang, Raphael Wanjala, also called for the arming of security firms and said that the “[p]olice must be allowed to shoot-to-kill criminals”. Some members of parliament asked the government to provide firearms to communities bordering troubled Somalia and Ethiopia and questioned the ability of the government to provide security. All the three leading local papers in Kenya (Daily Nation, East African Standard, Kenya Times) have highlighted the problems in these areas in the last few months (Mkutu 2003, 2005). The Chief Executive Officer for the Kenyan Residents Association, Stephen Mutoro, termed the bill a brilliant idea, but felt it may not be widely accepted by individuals (East African Standard, 5 July 2005). Indeed, many Kenyans have registered reservations on the idea.

The umbrella organizations representing a total of 60 security firms had some reservations. The Protective Security Industry Association (PSIA), felt that thorough consultations were needed particularly regarding control by the government, and suggested the secondment of armed policemen to security firms (East African Standard, 9 July 2005). The Kenyan Security Industry Association (KSIA) noted, that “[t]o the greatest possible extent guns should be in the hands of the police. The priority should be to ensure that the police are well equipped, trained, and disciplined.” They, too, suggested the armed police should work in conjunction with PSCs to maximize fast and effective responses to armed crime. They emphasize the need for a strict regulation of the entire private security industry (Kenya Times, 13 September 2005; East African Standard, 9 November 2005).

However, a different response came from Group 4 Security, which is perhaps the largest employer in the private security sector with operations in 180 countries around the world, including 16 African countries and employing more than 10,000 guards in Kenya. Its director, Jackson Ole Sempele, argued that the time was ripe to arm PSCs: “We have considerable experience in handling arms. Crime, like the rest of the Kenyan society, has become sophisticated and private security providers are facing new challenges. Guarding important premises like banks, business, private homes and cash-in

transit services have become increasingly high-risk operations and constant targets by criminals. Our guards have to be supported by armed cops. If the government armed private guards, I am confident they can effectively guard business in the central business district for instance. Police officers deployed can be released to other duties.” (Daily Nation Online, 27 March 2005)

Aside from the philosophical objections mentioned previously, in that the bill is an admission of failure on the side of government in fighting crime and protection, there are a number of pragmatic objections to be raised. Members of parliament or their bodyguards have guns, as do many businessmen and other prominent people, but they are still victims of attacks. Thus, the presence of arms has not assisted in mitigating insecurity in Kenya. In the last one year, the government of Kenya has been trying to disarm the pastoralists to reduce insecurity. By legally arming the PSCs, this may lead to an escalation of the small arms race, particularly between police and citizens, as it is occurring already in most pastoral areas. (see Mkutu 2003, 2005, 2006a, 2006b; SNV/Pax Christi 2004; SNV 2005)

Corruption is admittedly endemic in the police in Kenya, and they have been accused of misuse of legal arms, as have the home guards. According to MP David Mwenje the police force is working hand in hand with thugs in the city who were sold recovered guns for as little as 300 Shillings. It is no secret that some of the official security forces have loaned arms to be used in committing robberies or leased their guns to criminals. In 2004, over 700 police officers rented their guns for about 10,000 Shillings a night. Out of these, only 57 have been prosecuted. (see Mkutu 2003, 2005; SNV/Pax Christi 2004; SNV 2005). Evidence from pastoral areas in the north Rift shows that some of the small arms held by thugs were previously held legally by security personnel (Mkutu 2005, 2006a, 2006b; Sabala/Mkutu 2004). If the police is under regulation and doing this, what is there to stop PSC personnel that sometimes has criminal records?

The police has a disciplined uniform code of conduct, which is applied throughout Kenya under the Police Act. One wonders what code PSCs would adhere to. At present the industry is not regulated, employees are frequently untrained and poor working conditions act as a disincentive to professionalism, and an incentive to crime. Similarly, the police is also well-trained on the rights of citizens, but PSCs are not and thus serious violations of human rights may emerge. This policy suffers from the same flaws as the arming of vigilantes demonstrated in Uganda. (Mkutu 2005, 2006b; Sabala/Mkutu 2004) The same problem of lack of regulation and provision may lead to PSCs evolving into militias as seen with the Janjweed in Darfur. Before PSCs can contribute to fostering the rule of law in Kenya, they must first be accountable to the general public.

Another issue is how equipping PSCs with weapons could increase inequality in Kenya. It currently costs 20,000 Shillings a month to hire a private guard with a dog. Thus, security is a privilege for the rich, which again begs the question as to the state's responsibility. Kibera in Nairobi is the largest of several slums, and currently accommodates approximately half a million people, who would not be able to afford such protection, if the government were to rely on the private sector. The kind of chaos which may arise is alarming.

In Uganda, private security companies have become indispensable. Their proliferation can be attributed to a unique historical background. From 1971–86 Uganda was in conflict. It has also seen the rise of many insurgent groups, preying on communities. The Amin era was followed with uncertainty that saw the gradual shift of security from being the exclusive reserve of the police to including the army. The end of this situation in 1986 left a void in security that was a major challenge for President Museveni. One solution was a civilian arms training called 'mchaka mchaka' (Muhika 2000) where every male citizen was trained to use arms. PSCs have since recruited such people. Some have said that Kenya should follow suit. However, it is not clear whether this has led to a decrease in crime, plus there may be a correlation with rising crime in Kampala and also in the northeast of Uganda, the Karamoja areas (Mkutu 2006b; Gomes/Mkutu 2003; SNV/Pax Christi 2004). The Ugandan experience should be carefully considered. The arming of PSCs is a quick and inexpensive option solution, but many flaws are already evident.

Public faith in the force is not all lost yet. Instead of looking at PSCs as parallel institutions and arming them, the police needs to view them as potential allies. Private security companies could be coopted as strategic partners in collaborative programmes, in investigations, information sharing and building of rapid response teams. There are ways, which could be explored to encourage PSCs to form a common front in the war against crime. Many have suggested that it is under the banner of the police that the PSCs must march. A systematic inquiry needs to be done to identify the factors at play. With the current trend it is likely that if arms are provided to PSCs, Kenya could turn into a weaponized, violent society.

## 9.2 *Amorphous Mushrooming of Security Actors*

Kenya is currently experiencing a rapid proliferation of several groups in the informal security sector. As noted earlier, these include informal hirelings, criminal gangs and vigilantes organized around political parties, tribal affiliations, common occupations or other group identities. For example, the

mungiki sect, responsible for the murder of several people in Dandora in Nairobi in 2005, proscribed in 2003, has emerged again with the support of some political figures (see Daily Nation Online, 31 July 2006). With the elections in 2007, such violence is not expected to subside. The importance of the rule of law and regulation of the PSC industry, and the implementation of such law has already been mentioned.

### 9.3 *Community Policing*

Community policing as a concept began to appear in Kenya in 1999, and is now being embraced and promoted by NGOs and businesses. It incorporates ideas such as the police working in closer contact and communication with communities and members of the local communities assisting and warning police when trouble is on the ground. This was intended as a means to improve relations between the community and the police who was perceived as corrupt, harsh and trigger-happy. However, the concept is not yet well-defined, particularly within the Kenyan context, and variance in meaning and the actual practice has had legal and operational implications. The police has sometimes worked closely with business communities and NGOs, especially in the Nairobi district, but this has mainly promoted the security of the rich, already able to pay for PSCs. In a recent article it was noted that the impact of the community-policing project has not been felt beyond the TV cameras. It was sponsored by large businesses whose major concern was their own security and no efforts were made to reach out to the public (East African Standard Online, 3 November 2005).

Other problems included the sustainability due to western donor funding because when the funds end there is nothing rooted in the community. "It is not based on genuine community initiatives and is seen as in league with the very agents the community has good reason to fear." (Heald/Mkutu 2005: 5) As noted by Ruteere/Pommerole (2003: 602), "[i]n the implementation of their community policing initiatives, the civic organizations either fail to address or deliberately ignore the wider political context, which is characterized by practices of clientelism, corruption and coercion" (see also Southall 1999: 93–108). Although the police viewed community policing as a means of getting information about lawbreakers, they were not ready to be more accountable and approachable. In addition, the concept needs to be thought through as in pastoral areas there is only a handful of police officers and some home guards that are not paid. With the introduction of community policing in July 2005, it is important to regulate PSCs since they are currently the providers of security in urban areas, and it is likely that the police will be

working with them. Thus, this relationship needs to be defined and embedded in law to avoid vigilantism and sectarianism.

## **10 Conclusion**

Despite the various problems plaguing the private security sector many Kenyans still prefer to hire PSCs than to have none. They render invaluable services to the community including business premises and foreign missions and they are a important employers in Kenya. There is a good number of private security firms that are doing a commendable job and which truly value both their customers and employees, but the image of the industry as a whole is tainted by companies that are only interested in profits.

Kenya's private security industry is important and now a major employer and player in the security sector, but it is in danger of getting out of control. The rapid growth is likely to cause an upheaval if the sector is not regulated. Laws should be enacted to control the sector and regulate the operations of PSCs. There is a need for the government to draw a distinction between PSCs and business enterprises. The framework should provide directions on working conditions, set a minimum amount of capital required to start a security firm, set minimum wages and academic qualifications, training and codes of conduct and the nature and maintenance of communication equipment. In order to inject professionalism and discipline in the private security sector there is need to establish an independent body to regulate the sector with essential expert knowledge and enforce standards and bring sanity into the sector. Such a body should be able to enforce stated disciplinary measures. For example, since 1998, some PSCs have failed to implement the protective wages council order, while a number have created barriers to those that have. In many of the interviews it was clear that PSCs underpay their workers and violate basic working standards. Most of the guards are frustrated a lot.

Without proper regulation the sector poses more risk than benefit to security. The sector will continue to attract investors who want to make quick profits by taking advantages of the weaknesses in the operating environment. Bringing the mushrooming PSCs under control is very urgent. Kenya runs the risk of private security exerting a powerful leverage over its clients and ultimately the state, since PSCs have over 300,000 employees compared to 40,000 policemen (Mkutu 2003). A government may have little control over a powerful private security company, but a clear regulatory framework at least sets a standard for disciplining wayward sections. Policies and guidelines that define the relationship between PSCs and official security organs must be put in place.

The absence of effective policing and the general insecurity in many parts of the country explain the rapid development of the private security sector. The weakening of the institutions of the state largely explains the current state of affairs in the security sector. But privatization of security can reduce state control over national territories; further complicating conflict resolution. It creates overlapping claims to authority potentially feeding the problems, which led to the demand for private security in the first place. Despite the proliferation of PSCs crime and general insecurity continue to soar and prevail in the country. There is no doubt that Kenyans either as individuals or groups are spending a lot of money on security. The question worth debating is whether there is a way that this spending can be used to build the capacity of the existing official state agencies.

The absence of adequate security in Kenya has created a three-tier private security system dividing Kenyans along social status. The homes of the wealthy citizens in Kenya in places such as Muthaiga, Runda, and Lavington have become fortresses under the protection of private security firms. The middle class, with limited ability to afford the high costs of private security companies, has formed associations and engaged the services of private individuals. The poor in areas such as Kwangware, Mathare, Kibera, Dandora, and Eastlands, etc. will be left unprotected.<sup>15</sup> Arming PSCs will only widen this inequality or promote the growth of vigilante as the common man searches for ways to protect himself. Thus insecurity as a whole would be expected to increase. If the Kenyan government hands over the security of its citizens to private companies and clandestine groups, governance may suffer and slums will proliferate since security is a prerequisite for sustainable development.

The mushrooming of PSCs in Kenya could be seen as an economic problem creating a social problem, in that a man will do a job for a few shillings if he has no other choice. It was indicated that guards are involved in criminality in order to survive or feed their families. The introduction of 'boda boda' (bicycle taxis) in Kitale, e.g., has reduced the crime rate since 2001. This dissuades proper regulation of the industry. Creating wealth and employment is a more sustainable solution to insecurity and to this chaotic proliferation of PSCs, in which the only beneficiaries are the wealthy and the businessmen.

Public confidence in the police and their effectiveness in acting against crime are crucial factors in the debates surrounding PSCs. An effective police force is large, adequately paid and highly trained. Raising the level of policing alone seldom produces the desired reduction in crime rates. An MP for Nairobi stated that "[t]he Government's number one responsibility must be to safeguard the lives of its citizens. We must give police officers the proper

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15 In places like Kuria we now have sungusungu protecting citizens (see Mkutu 2006c).



tools to do their jobs. But we also need to weed crooked officers out of the force. Officers involved in carjacking must be sacked.” (Daily Nation, 25 May 2003) Reform of the police would be a valuable investment, including rooting out corrupt individuals, rewarding integrity and fostering professionalism and reform of PSCs, and the success of the proposed PSC bill relies on the reform of the police. Police reform is not possible without committed reformers; we will thus continue to have a police force that resembles that of the colonial era. However, the police is often blamed for insecurity, when there is a need for complementary policies and a conducive environment for employment and economic development, a real alternative to crime. Development assistance programs should contribute efforts to tackle ‘root causes’ in crime.

Privatization of security in Kenya is a complex issue. There is a need to investigate the risks posed by the industry. Examples of what is happening in some countries and their experience with private security companies could help draw lessons that can be relevant to defining policy and the legal framework and mechanisms for coordinating, controlling and monitoring PSCs and their operations.