



## FACT SHEET

### STOP Sexual Violence in Kenya's Prison System

#### The Situation:

- **Different forms of sexual violence are present and rampant in Kenya's Prison system. Inmates suffer and do not speak about or report sexual violence vices due to stigma.**
- **A majority of studies, indicate that male prison facilities have higher rates of sexual assault compared to female ones.**
- **Perpetrators of sexual violence in male facilities are mostly inmates**
- **Perpetrators of sexual violence in female facilities are mostly prison staff .**
- **Younger, new arrival and first time convicts are at greater risk of sexual victimization.**

#### What the Law Says:

- The Constitution of Kenya Chapter 4, Article 51: - "(1) A person who is detained, held in custody or imprisoned under the law, retains all the rights and fundamental freedoms in the Bill of Rights, except to the extent that any particular right or a fundamental freedom is clearly incompatible with the fact that the person is detained, held in custody or imprisoned.
- It is the duty of the Kenya Prison Service to ensure the safe custody and protection of prisoners from any form of sexual and gender-based violence
- Being in prison is punishment enough as it already takes away a prisoner's freedom. It is wrong for an inmate to undergo further punishment in form of sexual violence. A prisoner's rights and fundamental freedoms are protected by law.

### How to Safeguard Against SGBV in Prison

#### Prevent sexual violence by

- Promoting an environment that does not tolerate any form of gender-based violence including sexual violence
- Reducing vulnerabilities of groups most at risk to SGBV including prisoners.

#### Respond to sexual violence by

- Providing comprehensive services to victims of sexual and gender-based violence.
- Increasing access to quality and comprehensive support services within the prison system.
- Improving accountability and eliminating impunity for sexual and gender-based violence.
- Improving the sustainability of SGBV prevention and response interventions.
- Collaborating with authorities in the effort to improve enforcement of laws and policies towards SGBV prevention and response