

# FEMICIDE IN KENYA: INSTITUTIONAL AND JUSTICE CHAIN FAILURES

## Executive Summary

This technical brief emerges from Kenya’s socio cultural analysis of femicide (UN Women Kenya report, 2026) and examines how systemic failures across the justice chain enable predictable femicides to occur. Evidence shows that most women killed had interacted with institutions reporting threats, violence, or seeking help yet responses by the National Police Service, health facilities, prosecutors, and courts were delayed, fragmented, or dismissive. Common failure points include slow police response, poor evidence preservation, weak coordination between investigators and prosecutors, and bail decisions that ignore documented risk. Case evidence from Kiambu, Bungoma, and Meru illustrates how these breakdowns allow repeated warning signs to escalate into lethal violence, often followed by impunity and dispossession. National analyses confirm that femicide persists not because survivors remain silent, but because institutions fail to act decisively and early. Strengthening femicide prevention therefore requires rapid response protocols, robust evidence and chain of custody systems, coordinated case conferencing, risk informed bail practices, and public accountability through county dashboards. Addressing justice chain failures is essential to shifting from reactive responses to prevention driven protection that saves lives.

## Introduction — Understanding the Justice Chain in Femicide



Kenya’s socio cultural analysis of femicide shows that lethal violence against women is almost always preceded by multiple institutional touchpoints with the National Police Service (NPS), Gender Based Violence Recovery Centres (GBVRCs), the Directorate of Criminal Investigations (DCI), the Office of the Director of Public Prosecutions (ODPP), National Government Administrative Officers (NGAO), and the Judiciary. Each step in this “justice chain” carries obligations to recognise risk, secure evidence, protect survivors, and progress cases without delay. Yet the report demonstrates that failures at each stage compound one another, allowing predictable warning signs threats, stalking, sexual or physical violence, property disputes, witchcraft accusations, and exit attempts to escalate into femicide.

Independent national analyses echo the same patterns. The Femicide Report 2025 (Heinrich Böll Stiftung) documents that most women killed had already reported abuse or sought help, but institutional responses were delayed or inadequate.

Similarly, the Africa Data Hub (ADH) 2016–2025 dataset shows that many femicide victims engaged the system multiple times; however, police did not properly record threats, enforce protection, or flag high risk situations.

Together, these sources confirm that systemic failure not survivor silence is the defining feature of femicide in Kenya.

## Mapping Failures Across the Justice Chain

2

### Police response delays

The UN Women study details repeated instances where women reporting imminent danger were turned away by frontline officers with the instruction to “handle it at home” or return with witnesses despite clear risk indicators. In several cases from Kisumu, Kiambu and Meru, survivors reported threats days or even hours before they were killed, but the National Police Service did not initiate rapid response, supervised reporting, or protective accompaniment.

The Femicide Report 2025 reinforces this finding, identifying slow police response and referral to informal mediation as major drivers of fatal outcomes.

### Evidence mishandling

The socio cultural analysis identifies a persistent breakdown in evidence management: poorly preserved crime scenes, delayed forensic examinations, incomplete medical legal documentation, missing or improperly filled Post Rape Care (PRC) forms, and failures to secure digital evidence such as messages, call logs, and online threats.

The Technical Working Group (TWG) on Gender Based Violence, through the 2026 national report, warns that Kenya lacks a functional chain of custody system, resulting in compromised evidence and collapsed prosecutions in femicide cases.

### Prosecution gaps

Weak handovers between investigators and prosecutors were observed across multiple counties. The UN Women study highlights cases in which the Office of the Director of Public Prosecutions (ODPP) received files missing witness statements, forensic reports, or digital evidence, making it difficult to sustain charges. Families were frequently pressured into “settlement” processes that undermined prosecution, especially in incest, intimate partner violence, and land driven killings.

National patterns show similar attrition: the Femicide Report 2025 found that many femicide cases stalled because the Directorate of Criminal Investigations and health units did not coordinate early enough to secure charge ready files.

### Bail decisions that ignore risk

The justice chain study reveals multiple cases where suspects accused of prior assaults, threats, or sexual violence against the same victims were released on bond, returning to the same household or neighbourhood without restrictions. In some instances, men killed victims while already on bail for non fatal attacks. Courts often lacked access to risk profiles, previous reports, or evidence of coercive control.

Both ADH and TWG 2026 identify poorly informed bail decisions as one of the most critical systemic failures enabling femicide.

### Case Evidence — Kiambu, Bungoma, Meru

3

The failures above appear across multiple counties.

In **Kiambu**, one of the highest femicide hotspots, cases documented by UN Women and ADH show that women reported threats and violence repeatedly, yet police downplayed the risk. Several were killed in their homes Kenya's most common femicide location after officers failed to act on warning signs.

In **Bungoma**, widows were killed during inheritance disputes after chiefs and police dismissed credible reports of land related threats. After killings, perpetrators quickly seized land or burned homesteads, and because scenes were never secured, prosecutions collapsed. Local reporting such as ritual burnings during funerary disputes demonstrates chronic failures in both response and investigation.

In **Meru**, communities described long histories of intimate partner and familial violence culminating in femicide. Police and health units received multiple prior reports but failed to document injuries, preserve digital evidence, or issue protective measures. Families were directed into "settlement" pathways that weakened access to justice.

These three environments illustrate how justice chain erosion leaves survivors unprotected even when they actively seek help.

### Systemic Drivers

4

The failures observed across counties reflect several structural weaknesses.

Corruption risks undermine reporting and case progression. Survivors and families describe being asked for money to open files, retrieve medical forms, or accelerate investigation steps; perpetrators exploit relationships with local administrators. This fosters distrust and contributes to chronic under reporting. The UN Women report identifies corruption as a key driver of institutional paralysis and community reliance on non statutory dispute resolution.

Lack of chain of custody systems means that evidence (forensic samples, mobile phones, destroyed property, or medical legal forms) is often lost, contaminated, or unusable. The TWG confirms that Kenya lacks a standardised procedure linking police, GBV Recovery Centres, DCI units, and the ODPP into a single evidence pipeline.

ADH's database shows that weak documentation contributes directly to low conviction rates in intimate partner and family related killings.

### Recommendations — Strengthening the Justice Chain

5

To reverse these failures, a coordinated, county anchored approach is necessary.

A **First Hour Femicide Response Protocol** should be adopted across all counties, mandating rapid response by the National Police Service, immediate scene preservation, expedited examination by GBV Recovery Centres, rapid digital evidence capture by the Directorate of Criminal Investigations, and formal notification of the Office of the Director of Public Prosecutions within 24–48 hours. This should be supported by an inter agency checklist ensuring documentation of threats, history of violence, digital communications, injuries, and witness accounts.

Counties should implement 7 Day Femicide Case Conferences, where NPS, DCI, GBVRCs, ODPP and county gender offices jointly review file completeness, evidence integrity, witness protection needs, and prosecution readiness, as recommended in the TWG's homicide response improvements.

Accountability requires county dashboards carrying a Femicide Indicator, with typology tags (intimate partner, land/property, sexual violence linked, witchcraft accusation). Dashboards should publicly track response times, bail decisions, case progress, missing evidence, and breach of protection orders. TWG highlights that the absence of such classification currently hides femicide patterns and inhibits coordinated action.

Counties must also strengthen chain of custody systems by introducing secure evidence bags, digital timestamping, standardised custody logs, and joint NPS–DCI–GBVRC training. ADH underscores that evidence failure is one of the main reasons femicide prosecutions collapse.

Survivor and witness protection should be integrated into the early response phase through no contact orders, relocation resources, transport stipends, and safe housing mechanisms, addressing barriers highlighted in the UN Women study.

## 6 Conclusion

The evidence from Kenya's socio cultural femicide analysis, the Femicide Report 2025, Africa Data Hub, and the Technical Working Group on Gender Based Violence makes one fact clear: women do not die because they fail to seek help; they die because the system fails to act.

Femicide is predictable, and Kenya's institutional architecture contains enough points for detection and prevention. By implementing rapid response protocols, strengthening evidence systems, reforming bail practices, and enforcing accountability through dashboards and case conferencing, counties can transform a fragmented justice chain into a protective, prevention driven system capable of saving lives.

## References

1. Kenya's socio cultural analysis of femicide (UN Women Kenya report, 2026). Primary evidence base for justice chain touchpoints (NPS, GBVRCs, DCI, ODPP, NGAO, Judiciary), first contact failures, evidence gaps, bail shortcomings, and county case narratives (Kiambu, Bungoma, Meru).
2. Heinrich Böll Stiftung (Nairobi Office). *She Did Not Die by Accident: Mapping Femicide in Kenya (2025)* (published Jan 27, 2026).
3. Africa Data Hub. *Femicide Kenya: Silencing Women (2016–2025 dataset & analysis)*.
4. The Star (reporting on the Technical Working Group on GBV). "Kenya's silent crisis: Femicide surges 10% as 1,639 women killed" (Jan 27, 2026).
5. Local press report on ritualised burnings in Bungoma funerary disputes (e.g., *okhusoola*).

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