

# Economic Drivers to Serious Criminality among Incarcerated Former House-Helps in Lang'ata Women Prison, Kenya

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## Abstract

Economic deprivation largely pushes most house-helps into house-helpers to house-help jobs. The expectation of these house-helpers is that the jobs will help them improve economically and also improve the lives of their significant others. However, this is not to be. House-helpers generally suffer economic deprivation as the income of a house-helper is not enough to meet both the needs and expectations of a house-helper. This study investigated the economic drivers to serious criminality among house-helpers. The study was conducted in Lang'ata women prison, Kenya. Since it was a census study, all incarcerated former house-helpers in Lang'ata women prison who had committed serious crimes were involved in the study. The methods of data collection were in-depth interviews and focus group discussions. Data was transcribed and then analyzed using content analysis. The study found out that robbery, child pornography and stealing a child are crimes that are associated with economic drivers of serious criminality among house-helpers. It also found out that low income of the house-helper mainly from salary, high poverty level of the house-helper, pressure from dependants of the house-helper and salary payment inconsistencies drive house-helpers to commit serious crimes. The study recommends that the Ministry of labour in Kenya focuses on ensuring that the available laws that protect house-helpers are implemented to protect house-helpers from exploitation and as a result prevent serious crimes.

**Key words:** house-helper, serious crimes, criminality, economic drivers

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## 1. Introduction

Many young girls and women bearing socio-economic characteristics such as low levels of education, orphanhood, minimum skills, large and poor family backgrounds end up looking for house-helper jobs with an aim of changing their lives to the better (Chebet, Masinde & Kareithi, 2018). Though house-helper jobs are highly underrated in the society, their availability occasioned by increased number of women in the corporate world; coupled by the minimum qualifications that the job demands ends up having many young girls and women including those who are under-age seeking these jobs. According to Mbugua (2014) most women choose house-helper jobs because it requires little or no skills and low educational levels. According to (Chebet, Masinde & Kareithi, 2018), 85% of the push factors to house-helper work are economic in nature. The aim of these girls and women is to acquire an income to meet their needs and those of their dependants. Excited about the bright future ahead of them, these young girls and women end up in cities and towns where the jobs are readily available. However, in most cases, the goal to change their lives does not materialize. House-helpers are met with many economic challenges in the course of their work that increases their financial vulnerability. The National Police Service Annual Report (2021) indicates that crimes committed by house-helpers are on the rise with more house-helpers committing serious crimes as compared to petty crimes.

According to Attah, Agba, Ibiam, Kaburise & Kulo (2021), economic deprivation among house-helpers pushes house-helpers to commit crimes for survival. The result is the untold suffering in many households occasioned by criminal activities committed by house-helpers. Cases of house-helpers assaulting children and the elderly as well as colluding with criminals to commit crimes like robbery, murder and kidnapping are very common these days (Fage & Alabi, 2016; Hazen & Horner 2007).

The available literature addresses the acts and omissions that employers commit against house-helpers including failure to pay them their income as required by law and inconsistent payment. Yet, the literature does not address the consequences of these acts on the house-helpers including serious crimes despite the increasing number of crimes committed by house-helpers evidenced by crime statistics. It is against this background that this study seeks

to investigate the economic drivers of serious criminality among incarcerated former house-helpers in Lang'ata women prison, Kenya.

## 2. Methodology

This study was qualitative in nature. Therefore, a case study research design was adopted. A census study whose target population was all incarcerated former house-helpers who had committed serious crimes was conducted in Lang'ata women prison, Kenya. 43 incarcerated former house-helpers who had committed serious offences participated in the study. Due to the nature of participants involved in the study, a permit to conduct research was obtained both from the National Commission of Science Technology and Innovation and the State Department of Correctional Services. In-depth interviews and focus group discussions were used to collect data in the study. The results were transcribed then analysed using context analysis.

## 3. Results

The study aimed at investigating the types of crimes associated with economic drivers to serious criminality and the economic drivers to serious criminality among house-helpers in Langa'ta women prison, Kenya.

### 3.1 Types of Crimes Associated with Economic Drivers to Serious Criminality

The study examined the types of crimes associated with economic drivers to serious criminality among house-helpers. The results are shown in the table below

Table 1. Types of crimes associated with economic drivers of serious criminality

	Number of incarcerated house-helpers	Percentages
Robbery	18	39%
Stealing a child	12	26%
Child pornography	9	20%

The study found out that 39% of the incarcerated former house-helpers had committed the crime of robbery, 26% had committed the crime of stealing a child and while 20% had committed the crime of child pornography. These crimes were associated with economic drivers of serious criminality among house-helpers because house-helpers narrated to have been driven to commit these crimes by economic factors. The study also found out that robbery was the most committed crime associated with economic drivers to serious criminality. Robbery included actual or attempted robbery of money or property with value not less than Ksh 500000. Those who had committed this crime had been initiated, advised and/or helped to commit the crimes by friends, intimate partners or people known to them. According to the participants, a house-help would be promised to get half the amount of the value of money or property stolen. Robbery was found to be more desirable than other crimes because it was found to bear more economic benefits at the time of crime commission than any other crime.

While 26% of the former house-helpers had been incarcerated for stealing a child, 80% of these were associated with economic drivers of serious crimes. These participants reported that the goal was to punish the employer for delayed salary or lack of payment. Basically, a house-help would pretend that they are going shopping with the child and would end up on returning home. Participants stated that they committed this crime when the employer had travelled. Absence of close circuit television cameras in most households made it easy for participants to commit the crimes. The victims of this crime were young children below 3 years old because an outsider would easily think the child belongs to the young woman and therefore avoid suspicion.

The crime of child pornography was committed by 20% of the incarcerated former house-helpers. It manifested in two forms among participants of this study. There are those house-helpers who took photos and/or videos of naked children or of them committing indecent acts with children and there were those who went ahead and shared these photos and/or videos online. According to the participants who had shared the photo online, they committed the crimes in exchange of money to try and boost their income. The participants stated that depending on the age of the child and the acts committed, a photo would cost between Ksh 200 and Ksh 700 while a video would cost a client Ksh 850. Most of the victims of child pornography were boys aged between 5 and 9 years. The victims were chosen because they were easy to manipulate.

### 3.2 Economic Drivers to Serious Criminality among House-helpers

This study found out that the income of a house-help, poverty level of a house-help, pressure from dependants of a house-help and salary payment inconsistencies drive house-helpers to commit serious crimes.

#### 3.2.1 Income of the House-help

The study sought to know how much income house-helpers were paid in the host households they were working for before they were arrested. The results were tabulated in the table below.

Table 2. Monthly income for house-helpers in host households

Monthly Income (Ksh)	No. of Former House-helpers	Percentage
≥3000- 5999	9	20%
≥6000- 8999	31	67%
≥9000- 12000	6	13%

On average, Kenyan households pay a house-help a monthly income ranging from Ksh 3000 and Ksh 12000. Majority (67%) of the house-holds pay between Ksh 6000 and Ksh 9000. House-helpers from rural areas are paid less than those from urban areas. Usually, the income of the house-help is discussed between the person who recommends a house-help to a job and the employer. In cases where the house-help is recruited through a house-help bureau, the income is discussed between the manager of the bureau and the employer. According to the incarcerated former house-helpers, most of the time one is so desperate for a job that they do not discuss the income details. Sometimes, the income can be lower than the stated amount as the employer may deduct from the income if there were accidents like breaking a cup at home. Those house-helpers who get to house-help jobs

through house-help bureaus are required to pay ‘bureau fee’ every month which is deducted from the income every month.

Former house-helps stated that this income is usually not enough to cater for their needs. However, they still have to stick to the jobs because of their poverty levels, lack of skills and low education levels. Subsequently, participants stated that they ended up in unending debts and untold suffering despite working in high end homes. In order to survive, participants stated that they try to find other means of meeting daily needs including committing crimes within the households where they are employed. Former house-helps who had committed child pornography stated that they committed the crimes because they were offered money by their clients in exchange of nude photos and/or videos of children committing indecent acts. They said that the money they got for working was not enough and so they had to find other means of getting money.

According to the participants, house-helps get their jobs through recommendation by friends or relatives. As a result, the terms of engagement including contracts and job descriptions are either absent or very casual. As a result, employers take advantage of this situation to make avoid accountability when paying house-helps as house-helps cannot take any legal action on the employer no matter how low they get paid. On the other hand, since most house-help bureaus in Kenya are either not registered or exist in social media platforms, the few house-helps who get recruited through house-help bureaus do not engage directly with the bureau. As a result, the house-help can neither complain when work done is more than the salary nor when they need salary adjustments. As a result, the participants reported that when they feel that the salary is lower than work done, they opt to ‘pay themselves’ by stealing from their employers.

### 3.2.2 Poverty level of the house-help

This study looked at the poverty background of the house-help as well as the poverty level of the house-help. Former house-helps were found to come from very poor backgrounds. They all shared narratives of growing up without basic needs like food and rent, orphan-hood, large families, slum life, disorganized neighbourhoods and jobless parents. At the same time, the house-helps themselves were poor due to low income from house-help jobs. This status pushed the house-help to want to change their lives and those of their families. Consequently, working in households where members of the households lived high end lives, driving expensive cars and affording everything they needed, put a lot of pressure on the house-help. The house-help ended up admiring the posh lifestyle but without the means to attain it. These house-helps became motivated to commit crimes and whenever the opportunity to commit such crimes availed itself, the former house-helps stated that they had no option other than to commit the crimes.

Former house-helps who had committed robbery, robbery with violence and attempted robbery stated that they always admired the lifestyle their bosses were living and would occasionally steal clothes, jewelry and money from their bosses. They would take the clothes to their children and family members at home so that they (family members) would also wear expensive clothes. Participants also reported that it is very traumatizing to see yourself struggling yet living in a household whose members can buy whatever they want. Sometimes, when left in the house, they would wear the bosses expensive clothes and jewelry and would end up stealing them for good.

Former house-helps who had committed robbery had done so with the help of other friends and intimate partners. They stated that they had been told by their accomplices that they would get half the value of property that was stolen in the host house-hold. The participants reported that they considered committing the crimes as they thought that the money will help them change their lives. At the same time, there is a very high expectation for house-helps who come from poor backgrounds in the village. It is assumed that there is a lot of money in towns, where majority of the house-helps are employed. When house-helps go home occasionally during December holidays, the family members and people in the village expect that they have come with money and goodies from the towns. To meet this expectation, the house-help has to steal food, money and clothes from their employers.

### 3.2.3 Salary Payment Inconsistencies

The study found out that payment inconsistencies manifested in two ways among the participants. First, there was inconsistent pay where the employer would pay in some months and then fail to pay in some months. The findings of this type of payment inconsistencies among house-helpers was tabulated in the table below

Table 3. Period house-helpers stayed without salary

Period house-help has ever stayed without salary (months)	No. of incarcerated house-helpers	Percentage
0	6	13
1-3	21	46%
4-6	14	30%
7-9	5	11%
Total	46	100%

The study found out that 87% of the participants had ever stayed without their salaries for more than one month. The average period of time a house-helper had ever stayed without a salary was three months. Those who had stayed for 7 -9 months without payment included 11% of the participants. Only 13% of the participants had no history of ever working without a salary. Majority of those who had no history of ever working without a salary had worked in households owned by foreigners.

Then there was inconsistent pay where the employer would fail to pay the house-helper the amount they had agreed during recruitment. Although house-helpers do not participate in the negotiations as to how much they get paid, there is the amount they agree to work for in that specific house-hold. The study found out that sometimes the employer fails to pay the agreed amount. The results for this type of inconsistency were tabulated in the table below.

Table 4. Payment inconsistency in amount

Payment consistency in amount	No. of incarcerated former house-helps	Percentage
Paid amount agreed during recruitment	21	46%
Not paid amount agreed during recruitment	25	54%
Total	46	100%

Though payment inconsistencies manifesting in the form of a house-help getting paid in some months and not paid in others being more prevalent, payment inconsistencies in terms of not being paid the amount agreed on the day of recruitment had a very high rate. A whopping 54% of the participants claimed to have ever been paid an amount less than what was agreed between the employer and the house-help on the day of recruitment.

Former house-helps reported that payment inconsistency was a very common phenomenon among house-helps. According to the participants, the first month working as a house-help is usually good in terms of payment. A house-help's gets her income on the right time and as agreed. However, with time, house-helps start experiencing inconsistencies in terms of the amount where the house-help is paid less than agreed. Alternatively, the house-help may experience inconsistencies where the employer would pay some months and fail to pay on other months. Former house-helps stated that a house-help can stay even up to nine months without getting paid. Whenever a house-help would demand for her payment, the employer would say that they do not have money at the time, despite the employer maintaining their high-end lifestyle. The employer sometimes argues that they give food and other basic needs to the house-help and therefore the house-help does not need the money. As a result, participants stated that having no other option, they ended up committing crimes in the host households to compensate for their money. A house-help who had been incarcerated for stealing a child for instance stated that she decided to steal a child to instill pain to her employer who had been mistreating her by failing to pay her. She regarded her employer as inhumane and said that committing a crime was the only way to punish her employer.

#### 3.2.4 Pressure from the Dependants of the House-Help

This study found out that all former house-helps who participated in the study were found to have many other people depending on their salary. These people included the house-helps children, parents, siblings and some extended families. The number of dependants for incarcerated former house-helps was tabulated in the table below

Table 5. Number of dependants for incarcerated former house-helps

No of dependants	No of incarcerated house-helps	Percentages
1-3	6	13%
3-6	17	40%
6-9	21	46%
Above 9	2	4%

From the study, 13% of the participants had between 1-3 dependants, 40% of the participants had between 3-6 dependants, 46% of the participants had between 6-9 dependants while 4% had above 9 dependants. The dependants of the house-help were depending on the income of the house-help for basic need like food, rent, medication and education of other siblings. Therefore, the house-help was required to send money every month without fail despite the income of the house-help being too little. Sometimes the emergencies would come in the middle of the month and force the house-helps to get into unending debts as some emergencies ‘could not wait’. The participants stated that it was very difficult to convince the dependants that the money was not enough or that the house-help had delayed payments that particular month. The house-help would get consistent calls and would end up frustrated for not meeting the demands. Left with no options, house-helps would end up finding other means of handling the pressure from home including criminal means. Participants reported that stealing money from the household was sometimes the only way out of the pressure.

#### 4. Conclusion

Serious crimes committed by house-helps are as a result of the nature of recruitment procedures of house-helps which opens doors to economic exploitation. Lack of well outlined contracts and indicating when, how and how much a house-help ought to be paid on the day of recruitment opens doors for employers to evade accountability when it comes to payment. It also denies the house-help an opportunity to report and/ or seek legal action when the employer does not pay the required salary, does not pay the agreed salary or does not pay salaries on time. House-helps’ conditions of work, their terms of employments as well as their methods of recruitment often force them to resort to criminal activities either as a strategy of economic survival in the face of dire money needs and demands or as a way of hitting back at their employers.

Serious criminality among house-helps can be prevented if the available labour laws on regulation of wages and salaries for house-helps are implemented. Lack of implementation of these laws facilitates manipulation of house-helps by their employers which drives house-helps to serious criminality. The income of a house-help ultimately increases the poverty level of a house-help which translates to serious criminality. Living in a desperate state yet in a household whose members’ live high-end lifestyles, the house-help increases the motivation to commit serious crimes and makes the household a suitable target for those crimes.

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