



**KITUO CHA SHERIA**

**LEGAL ADVICE CENTRE**

*we care for justice*



**The 6th Africa Leadership Award Winner 2016**



# ANNUAL REPORT 2016

# LIST OF ACRONYMS

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<b>AGCP</b>	Advocacy, Governance and Community Partnerships	<b>KNCHR</b>	Kenya National Commission on Human Rights
<b>AGM</b>	Annual general Meeting	<b>LAED</b>	Legal Aid and Education Department
<b>AJWS</b>	American Jewish World Service	<b>LSK</b>	Law Society of Kenya
<b>BOD</b>	Board of Directors	<b>LRF</b>	Legal Resource Foundation
<b>BOT</b>	Board of Trustees	<b>MHPSS</b>	Mental Health and Psychosocial Support
<b>CUC</b>	Court Users Committee	<b>NVSN</b>	National Victims and Survivors Network
<b>CJPC</b>	Catholic Justice and Peace Committee	<b>NLC</b>	National Lands Commission
<b>DRA</b>	Department of Refugee Affairs	<b>PDNK</b>	Pastoralists Development Network of Kenya
<b>FMP</b>	Forced Migration Programme	<b>PHR</b>	Physicians for Human Rights
<b>FERA</b>	February Eighteen Revolutionary Army	<b>POC</b>	Persons of Concern
<b>ICJ</b>	International Commission of Jurist	<b>RCKM</b>	Research Communication and Knowledge Management
<b>ICTJ</b>	International Center for Transitional Justice	<b>RSD</b>	Refugee Status Determination
<b>IEC</b>	Information, Education and Communication	<b>UNHCR</b>	United Nations High Commission for Refugees
<b>GIZ</b>	Deutsche Gesellschaft für Internationale Zusammenarbeit	<b>USAID</b>	United States Agency for International Development
<b>KIOS</b>	The Finish NGO foundation for Human rights		
<b>KTJN</b>	Kenya Transitional Justice Network		
<b>KHRC</b>	Kenya Human rights Commission		
<b>KHRD</b>	Kamukunji Human Rights Defenders		
<b>KPTJ</b>	Kenyans for Peace with Truth and Justice		

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# FROM THE BOARD CHAIR



**ANTHONY  
MULEKYO**

**T**he year 2016 was the second year in the implementation of the strategic plan 2015 – 2019 themed “Towards Legal Aid, Legal Empowerment and Social Justice”. The plan that was officially launched during Kituo’s 42nd birthday on 9th July 2015 is on course.

KITUO’s governance structure is composed of the Annual General Assembly (AGM), the Board of Directors (BOD) and the Secretariat. The AGM meets annually to among other things, review the overall performance of the organization and receive the auditor’s report. In the last meeting time was spent on the review of the organizations constitution where a sub committee was formed to pursue the issue. The BOD meets quarterly to receive programme and management reports from the Secretariat. I would like to thank all the Members of the three organs, AGM, BOD, Board of Trustees (BOT), for committing their time to serve KITUO and also remaining faithful to our vision and mission.

KITUO wishes to take this opportunity to thank its development partners notably, MISEREOR, UNHCR, GIZ, USAID, COMMONWEALTH-REDRESS, COMIC RELIEF, KIOS, AJWS, USAID and DUTCH EMBASSY for providing financial and technical assistance towards the implementation of our various programmes. We also extend our gratitude and appreciation to the Government of Kenya for providing a conducive environment for our operations and for the collaborations that KITUO has enjoyed through the various Ministries and Agencies.

I sincerely wish to thank the members of staff at KITUO led by the Executive Director who worked tirelessly throughout the year. I thank my fellow Board members and do promise we will work even harder in 2017.

Finally, KITUO would like to laud the efforts of all the stakeholders who remain committed to the vision of access to justice for all.

# FROM THE EXECUTIVE DIRECTOR



**ANGOTE  
GERTRUDE**

The year 2016 will be remembered in Kituo's history as the year when Kituo Cha Sheria was honored with the Africa NGO Leadership Award in December during the 6th Africa Leadership Awards ceremony in Mauritius. The year also marked the second implementation of Kituo's Strategic plan 2015 – 2019.

During the year the Kenyan Government issued an order closing two refugee camps and the Department of Refugee Affairs. KITUO felt that this will disenfranchise one of its stakeholders, the refugees. Kituo went to the High Court and obtained orders to stop this directive. This move by Government would have had far reaching consequences to refugees who were supposed to be repatriated to their countries of origin.

Kituo also signed a memorandum of understanding with Kabarak University Law School where we committed to coordinate with other partners to train Law students on refugee related issues.

This year three more community Justice centres were opened in various prison facilities across the country. These were in Langata women, Nyeri GK and Kakamega GK prisons. Inmates and prison constables were trained and graduated as paralegals. Thereafter they committed to offer free legal aid services to inmates.

In the month of September Kituo in conjunction with Legal Resource Foundation (LRF) held a National paralegals Summit in Nairobi and was attended by paralegals from various counties across Kenya. The summit addressed pertinent issues affecting paralegals key among them: clarifications on the Legal Aid Act, 2016, accreditation of paralegals, development of a syllabus for paralegal training by the Paralegals Support Network (PASUNE) and clear outline of the duties of a Paralegal and their work ethics.

The M-HAKI platform was formally launched in December 2016 with the theme 'SMS your way to justice'. M-Haki employs the use of mobile phone text message (SMS). This innovation permits citizens to use mobile phones to send queries and receive a confirmation message that the query has been received and an answer is delivered to the person seeking the advice by the legal aid lawyers within 48 hours.

Lastly, Kituo is greatly indebted to all our development partners, as elaborated by the Board Chairman, who partnered with us throughout the year in the service to the poor and marginalized.

I wish to congratulate and thank all Kituo staff for working so hard and diligently to realize the projected outcomes. Special thanks go to the Board of Directors led by the Chair Mr. Antony Mulekyo, for continuing to offer the necessary support and guidance and direction to the organization.

In conclusion, 2016 brought many successes for Kituo Cha Sheria and a lot to reflect about too. Going forward, we reiterate our commitment to professionally and zealously advance our vision of a society of JUSTICE and EQUITY for all.

# ABOUT KITUO CHA SHERIA



*Kituo members of staff join Members of the Board of Directors in posing for a group photo after the Annual General Meeting*

## HISTORY

**K**ituo Cha Sheria (Legal Advice Centre) is a human rights non-governmental organization. It was founded on 9th July 1973 as Kituo cha Mashauri by advocates who were committed to helping the disadvantaged and poor people who could not afford the cost of legal services. It is the first legal aid center established in Kenya. In 1989, the name was changed to Kituo Cha Sheria, the Legal Advice Centre, and a secretariat established with full time staff. KITUO is largely supported by development partners. The organization nonetheless gets support for Volunteer Advocate and Community Based Paralegals. KITUO's services are provided to the poor and

marginalized through various strategies, which include but not limited to provision of legal advice, legal representation, litigation, community mobilization and organisation etcetera.

KITUO's headquarters is in Nairobi but has a branch office in Jogoo road and a Regional office in Mombasa.

**VISION** "A society of equity and justice for all"

## MISSION

"To empower the poor and marginalized people to effectively access justice and enjoy their peoples and human rights in Kenya through advocacy, networking, lobbying, legal aid education and representation and research".

## CORE VALUES

- Respect for human rights;
- Commitment to justice and equity for all;
- Solidarity with pro-poor individuals and agencies;
- Courage in promoting social transformation and empowerment of the poor and marginalized;
- Service through volunteerism;
- Transparency, reliability and accountability in its relations with its stakeholders;
- Obligation to upholding the rule of law; and
- Professionalism;

**MOTTO** 'We Care for Justice'

# 2016 OVERVIEW

## KITUO RESULTS IN FIGURES

**KSH. 2,562,076**

Total amount recovered from Labour related matters on behalf of clients at the Head office and Regional offices

**9,427**

Total Clients seen and assisted at the Head office and Regional office in 2016

**131**

Total number of Volunteer advocate recruited in Meru, Embu, Nyeri, Kakamega, Machakos, Bungoma and Kitui Counties

**1,018**

Total numbers of clients attended to in 2016 in legal aid clinics

**3,773**

Total number of persons of concern who received legal counseling during the period in the FMP offices in Nairobi

**227**

Total number of Court interventions by the Forced Migration Program

**225**

Total number of persons of concern represented in court by the Forced Migration Program

**13**

Total number of Mobile Legal Aid Clinics conducted by the Forced Migration Program

**729**

Total number of persons of concern attended to at the Forced Migration

**201**

Detention monitoring visits to police stations and prisons in Mombasa and Nairobi FMP Offices

**3,613**

Total number of persons of concern reached out in Community sensitization fora

**15**

Total Community sensitization fora in Nairobi, Nakuru, Bungoma, Mombasa and Eldoret



# LEGAL AID AND EDUCATION



*Kituo legal officers listen to clients during a free legal aid clinic*

The legal Aid Programme provides free legal services in the areas of land, housing, labour to persons who cannot afford legal services.

In 2016 the programme attended to a total of 8,057 walk in clients; both new and returning clients in Nairobi. The legal aid clinics reached out a total of 1,018 clients. A total of 131 Volunteer advocates were recruited from seven counties i.e Meru, Embu, Nyeri, Kakamega Machakos, Bungoma and Kitui.

The programme marked its labour day on 5th, July 2016 where a total of 223 Clients were served and advised on legal matters. This was followed by the celebration of 43rd birth day of Kituo Cha Sheria which was marked with pomp and colour. The theme of the event was, “Use of mobile technology in promoting access to justice”. The event saw a number of dignitaries attending the ceremony including the Chief guest Ms Frances Singleton from Hiil Institute a justice technology innovation centre in the Netherlands, Ms. Gertrude Angote Executive director Kituo, Kituo founder members Stephen Adere and Justice Mary Ang’awa, together with other guests.

The programme litigated several individual cases and public interest litigation matters both in and out of court.

## Public Interest Litigation

1. Nrb HCC Petition Number 3 of 2016 – Law Society Of Kenya Vs. Attorney General & Anor; Kituo Cha Sheria was enjoined as an amicus curiae in the matter, in which the Statute Law (Miscellaneous Amendment) Bill, 2015 was under challenged unconstitutionality. It declared that the amendment to section 30(3) of the Judicial Service Act, 2011 vide Statute Law Miscellaneous Amendment Act, 2015 was unconstitutional, null and void.
2. Leigh Day the Executive Director’s Statement sent on behalf of KITUO, to Leigh Day Solicitors in London, in the matter of PEV (AAA& Others Vs Unilever UK).
3. Kitui HCC Petition No. 9/2015 Kitui Traders –vs- Kitui County Government: The matter awaits judgment.
4. Msa HCC Petition No. 36 of 2015 Abdalla K. Abdalla and 3 Others vs Kenya Ports Authority and 2 Others and Msa HCC Petition No. 38 of 2015
5. Abeid Hassan and 3 Others –vs- Kenya Ports Authority and 2 Others
6. Nrb HCC Criminal Revision No. 150 of 2016:
7. Nrb HCC Petition No. 227 of 2016: in this case we challenged the government directive on the closure of the Dadaab Camp. Submissions have been filed and we await judgment. The petition may be overtaken by events with the recent Government directive to withhold the closure of the camp. On going
8. Nrb Civil Appeal 108 of 2014:
9. Msa HCCC Petition No. 39 of 2016 Legal Advice Centre and Others –vs- County Government of Mombasa
10. Msa HCCC Petition No. 25 of 2016 LENGO and Haki Yetu –vs- Mombasa County Assembly
11. MUTHURWA CASE- NAIROBI HC PETITION 65/2010 (Muthurwa right



# LEGAL AID AND EDUCATION



*Kituo advocates meeting Muthurwa Estate residents outside the Court of Appeal after a hearing of their case*

to housing case ) withdrawal but still pending

12. CONSTITUTIONAL PETITION NO. 3/2016 LAW SOCIETY OF KENYA VS. THE ATTORNEY GENERAL & ANOR. Ongoing

13. SHAURI MOYO HOUSING CASE PETITION NO. 584 OF 2014

Ongoing

## Single Welfare Cases Court Attendances

There were a total of two hundred and sixty four (264) attendances in court for the year 2016. Some of the matters proceed for hearing and mentions while others did not. Below is a sample of some of the cases and their positions.

1. NAIROBI ELC NO. 1030 OF 2013 HAJI OMARI VS. EDWARD NJUGUNA KANGETHE ONGOING

2. ELC. NO. 51/16 – SAMSON MAHUNGU NGUGI –VS- FOUNTAIN JUNIOR ACCADEMY & OTHER ONGOING

3. ELC 50 OF 2014 MERCY NJERI MWANGI V PETER MWANGI & ANOR ONGOING

4. RMCC 97 OF 2013 JOHN NDUNDA V PETER NGEKE

5. EDWIN THIONG'O & ANOR V GICHURU KINUTHIA AND OTHERS CIVIL APPEAL NO. 267 OF 2007

6. FREDRICK GICHIA V JANET MAINA RMCC 66 OF 2007 AT KAJIADO ONGOING

7. IN THE ESTATE OF GLADYS NJOKI GUCHU SUCCESSION CAUSE NO. 1679 OF 2000 ONGOING

8. SYOMBUA MANGETHWA V BONIFACE MASILA V ANOR ELC CASE NO 535 OF 2014

9. REPUBLIC VERSUS NGOSI NTHUKU EX-PARTE MARY KOKI MUTHOKA

10. AMBRASIA MULI HCC 78 OF 2009 TRANSFERRED TO MACHAKOS: ONGOING

11. NAOMI WERE V NSSF ON THE 11/7/2016 ONGOING

12. INDUSTRIAL CAUSE 1290 OF 2011 JUDITH OMBOHO ONGOING

13. KISUMU NDOGO HCC CASE NO. 89 /08 APPEAL STAGE

14. ESTATE OF STEPHEN WAWERU HCP 719 OF 2014 ONGOING

## Successful Welfare Cases

1. HCCC 4245 OF 1988 JOSEPH NDACHU EXECUTION STAGE; WARRANT OF ARREST ISSUED

2. GRACE VIOLET OKWISA RMCC 785 OF 2010 ONGOING

3. CR 2761 OF 2013 /RENT RESTRICTION CASE NO. 118 OF 2010

# LEGAL AID AND EDUCATION



*A client keenly listens to the advice of a Kituo advocate as a community paralegal stand by during a community legal clinic in Kamukunji, Nairobi*

## Successful Alternative Dispute Resolution/ Out of Court Settlements

- Through a demand letter we demanded Kshs. 456,499/= being terminal dues for our client Ali Hamisi Suleiman a driver , we were then approached by the employer, Mr. John Sargon for a settlement and after discussion we agreed to settle the claim at Kshs 124,416/=. The employer is sent the cheque for settlement.
- Through a demand letter we demanded Kshs. 151,482.50 being terminal dues for our client Everlyne Sharia (house help), we discussed the issue with the employer and client due economical pressure agreed to settle the matter at 10,000/= for notice only.
- Through a demand letter we demanded Kshs. 69,760/= being terminal dues for our client Shaffique Otieno Shamshudin , the employer, Zohal Services Ltd agreed to settle the claim and forwarded to us a cheque for Kshs69,760/= April to May.
- Through a demand letter we demanded Kshs. 69,760/= being terminal dues for our client Shaffique Otieno Shamshudin , the employer, Zohal Services Ltd agreed to settle the claim and forwarded to us a cheque for Kshs69,760/=.

## Public Interest Litigation Caucus

The department organized a caucus at Heron Portico Hotel and the following cases were discussed:-

- a) Constitutional Petition Number 3 of 2016 – Law Society of Kenya Vs Attorney General & ANOR
- b) Constitutional Petition Number 511 of 2015 – County Government of Isiolo & 10 ORS Vs. The Cabinet Secretary Ministry of Interior and Coordination of National Government & ANOR
- c) Ngara Right to Housing Case
- d) Constitutional Petition No. 65 of 2010 - SATROSE AYUMA & 11 ORS VS. RETIREMENT BENEFITS SCHEME & 2ORS

4. ELC CASE NO. 222 OF 2015 MARTHA NJERI MBENE V THE STATUTORY MANAGER UNITED INSURANCE COMPANY LIMITED ONGOING
5. SUCCESSION CASE NO 1566 OF 2013 IN THE ESTATE OF FRANCIS PETER RURIGI ONGOING
6. CHILDREN CASE NO. 570 OF 2009 IN THE MATTER OF DENNIS MBISI
7. INDUSTRIAL CAUSE NO. 2038/2013 ONGOING
8. SAMUEL MAINA KIBUGI VS. POWER GROUP TECHNOLOGIES LTD
9. MISC CIVIL APPLICATION 453 OF 2014 R V AG EX-PARTE JOSEPH BORO MATTER CLOSED



# FORCED MIGRATION



*Participants pose for a group photo after a forced migration paralegal training in Eastleigh, Nairobi*

The Forced Migration Programme is devoted to addressing legal and policy needs of refugees, asylum seekers and stateless persons residing in urban areas in Kenya with a view to improving their welfare and guaranteeing access to and enjoyment of the institution of asylum. The program is simultaneously implemented in Nairobi and Mombasa.

The programme has given lectures and trainings on refugee law at various universities e.g. USIU, Kenyatta University Law School, Kabarak University Law School, Nairobi University Mombasa and Parklands campuses, Egerton Law Campus and Moi University-Annex Campus. We thank the BOD for their support. At the Egerton training, Board Member Sally Mbeche attended and officially closed the training while for the Moi University training, Board Member Joy Asiema attended and officially closed the training. Through these lectures, over three hundred students have been reached and we hope to foster partnerships with these institutions with regard to developing awareness and curriculum on forced migration program.

## Services offered by the programme

The programme offers services in legal protection and guidance to its clients. These include legal advice in all legal issues, legal representation, Bi monthly legal aid clinics in communities far from the office, assisting refugees in obtaining work permits, birth and death certificates, Identity cards and other documentation, referral services to other partners investigation of systematic human rights violation against refugees, identifying and litigating on public interest touching on refugees, detention monitoring, monitoring cases of insecurity and Gender Based Violence and research and training on human rights and refugee law.

In the implementation of this project, the programme co-operated with the government and various stakeholders, among them; the UNHCR, the Department of Refugee Affairs, Refugee Consortium of Kenya, International Rescue Committee, The Kenya Magistrates and Judges Association, Heshima-Kenya, HIAS and the Kenya Police.

## Programme Activities

The Forced Migration Programme activities are implemented in both at the Nairobi and Mombasa offices.

A total of 3773 persons of concern received legal counselling during the period, out of which, 3,044 persons of concern received legal counselling at the offices in Nairobi and Mombasa, while, 729 were counselled at various mobile legal aid clinics. The overall effect has been the empowering POC's to know their rights and understand how the law can be used for their protection.

## Legal Representation and other Court Interventions

During the reporting period, the centre attended to 227 court interventions representing a total of 225 persons of concern. A majority were on charges of unlawful presence. Others faced charges of residing outside designated areas without authority, failure to register; we also had charges of defilement, child and human trafficking, assault, traffic, guardianship as well as drunkenness and disorderly.

## Mobile Legal Aid Clinics

During the reporting period, 13 clinics were conducted. The clinics were conducted at Githurai, Kitengela, Kiamaiko, Komarock, Embakasi, Eastleigh, Umoja/Donholm,



# FORCED MIGRATION



*Kituo Cha Sheria Executive Director Ms. Gertrude Angote and the Dean Kabarak Law School, Mr. Elisba Ongoya exchange documents after an agreement signing ceremony*

Ruiru , Mtwapa , Jomvu , Kibokoni, Majengo and Likoni. A total of 729 persons of concern were attended to.

The objectives of these clinics entailed, among others, bringing services close to clients, awareness creation on the new registration documents and the handover of RSD from UNHCR to DRA, legal empowerment and legal education besides identification of cases for referral, follow up and litigation

## **Detention Monitoring**

The Nairobi and Mombasa offices conducted 201 detention monitoring visits to police stations and prisons. During these visits, a total of 213 persons of concern accessed Kituo services and most were released from detention.

## **Border Monitoring**

A total of 5 border monitoring missions were conducted during the period. Five border monitoring visits were conducted in Malaba/Busia, Lungalunga, Taveta, Namanga and Kehancha/Isibania.

## **Community Sensitization Fora**

The project held 15 community fora in various areas within Nairobi , Nakuru, Bungoma, Mombasa and Eldoret reaching out to a total of 3,613 persons of concern.

## **University Trainings**

The program undertook 2 University trainings during the reporting period. The first training held in October at Egerton University with a total of 70 participants. The second training took place at Moi University with a total of 46 participants from the University's school of law

## **Court Users Committee (CUC)**

Four CUCs were conducted during the period training a total of 102 participants. A Court Users Committee meeting held in Meru on the 17th November 2016. A total of 29 participants attended having been drawn from various agencies that consistently interact with the refugees, asylum seekers. The CUC equipped the participants with various aspects of refugee law as the participants often encounter PoCs in their line of duty.

Three other sessions were conducted during the reporting period. On 23rd March 2016, one was held in Kwale at Pride Inn Hotel where 20 judicial officers were trained. On 16th June 2016 another CUC was held in Malindi at Scorpio Villas Hotel where 20 judicial officers were trained.

A CUC forum was held in Mombasa at Bliss Hotel on the 23rd December 2016 attracting 33 participants. The participants were drawn from various agencies including the National Police Service, County Government, Judiciary, Probation Department, Children Department, and Administration police, Registration of persons Department, Law Society of Kenya and the Office of the DPP. The CUC equipped the participants with various aspects of refugee law as the participants often encounter PoCs in their line of duty. A total of 73 officers have been trained.

## **Other Activities**

The program conducted out-posting by way of legal aid clinics in collaboration with HIAS Refugee Trust in Eastleigh, Kayole and Kawangware where 307 persons of concern were served. Five university lectures where police and judicial officers and students were trained on refugee protection. The program attended to several meetings

# FORCED MIGRATION



*Kituo's Forced Migration Programme team pose a group photo with a person of concern (lady holding paper bag) after securing her release from custody*

during the period which have significantly continued to increase the human rights space for refugees ensuring their dignity and right to equal protection by the law is advocated by our officers throughout the reporting period.

A court users committee training and police training has been conducted in Mombasa on refugee law.

Following the mid-year review discussions with UNHCR, we managed to re-allocate funds that were yet to be spent on new activities as we had already surpassed most of our targets. Based on the challenges faced at the out of town stations that we visited for court matters we were able to negotiate for a CUC and Police trainings around the Kiambu and Moyale areas.

The additional activities include: -

a) Three police trainings, 2 implemented by the Nairobi Office and 1 by the Mombasa Office

b) One CUC implemented by the Nairobi Office

c) Six community sensitization forums

d) Paralegal Training

Kituo – GIZ Psychosocial Support project has taken off within the same floor as the FMP office. We also recruited a new staff for the said program after a successful Human Resource process bringing the staff to 3. We have a foreign consultant, local expert and a volunteer. The department has revived the Mental Health & Psychosocial Support (MHPSS). Working Group by hosting the first meeting at our FMP Office. A subsequent meeting has been held and hosted by another partner. We are in the process of undertaking a mapping exercise in order to find out which organisations offer this support and the particular services they offer.

The programme has been actively engaged in the Refugee Bill Review. One of our offices joined a task force reviewing the Bill together with MPs taking views from Dadaab camp based refugees.

## Success Stories

- During the annual budgetary negotiation with UNHCR for 2016, we were able to secure funds for World Refugee Celebrations and Community Sensitization Programs. This money was only awarded to Kituo Cha Sheria. This showed the trust that UNHCR has in our ability to deliver through implementation.
- At the beginning of the year we successfully petitioned for citizenship rights of a Kenyan who had been charged with unlawful presence and set to be deported to Ethiopia.
- We also signed a Memorandum of Understanding (MOU) with Kabarak University where we will provide a forced migration training each semester with an aim of getting more lawyers into this field that lacks practitioners.
- We are looking at signing an MOU with HIAS Kenya, a partner organisation that will see us be their referral partner of choice on matters durable solutions. This will see many refugees get permanent solutions to their problem.

# ADVOCACY, GOVERNANCE AND COMMUNITY PARTNERSHIPS



*Kituo's Faith Ochieng' hands over administrative support materials to paralegals at the Kodiaga Prison Justice Centre, Kisumu. Antony Mulekyo, the Chair and Carolyne Abong of Dutch Embassy looks on.*

The advocacy, governance and community partnerships programme (AGCP) Coordinates Kituo's community outreach and advocacy initiatives by connecting people with the law and instruments of justice. AGCP ensures the partnership of the poor and marginalized in the promotion of good governance, formulation of enactment of pro-poor policies and laws that are in tandem with international standards, and therefore enhances the realization of access to justice for all.

In the year under review, the programme conducted training of prisoners in different prisons. The trainings focused on criminal procedure code, judicial structure, Rights of arrested persons and appeal process.

In 2016, the programme established four prison justice centres in Lang'ata Women Prison, Meru G.K. Prison, Kakamega G.K. Prison and Nyeri G.K. Prison. The opening of these prison Justice Centres came after the graduation the prison paralegals upon successful completion of the training.

On the community justice centres, the programme continued to coordinate the centres through meetings in Mombasa, Kwale, Korogocho, Kibera and Kamukunji. The

community justice centres were receiving administrative support from the Dutch Embassy which included payment for rent and supply of computers and printers. A mentorship programme was also established. The paralegals were particularly important with the launching of the M-Haki platform. A community justice centre was established in Kilifi County under the auspices of the Malindi Rights Forum after a five days' paralegal training. It is hoped that this community justice centre shall help to reduce the incidences of labour and land rights abuses along the salt belt area.

The programme conducted visits to Lamukani Justice Centre, Bomu Stretchers and Matsangoni together with MSI, a contracting partner of USAID, to document the successful work by the centre under the Coast Conflict Intervention and Action activity. After interviews with the paralegals, MSI conducted training for staff on writing success stories, photography and use of social media to profile the work of Kituo. The training was particularly useful to increase the capacity of staff on profiling the work of Mombasa.

KITUO staff, paralegals and volunteer advocates' training on M-Haki technology – these trainings took place throughout the year in the areas of Kisumu, Nairobi, Mombasa, Kitui, Kwale and Turkana. The trainings went hand in hand with a market research to determine the viability of the M-Haki technology in facilitating justice. In addition, a community outreach was held in Msambweni in Kwale County to inform the public on MHAKI and how they can easily access legal advice from their mobile phones. The department also held two radio talk shows in Baraka Fm and Radio Salaam to educate the public on the platform. In these week-long activities, the department also sensitised the prison paralegals in Shimo la Tewa Men's and Women's Prison on the project. Plans are underway to also train our newly established Kilifi County community justice centre.

The programme strengthened the capacity of victims' groups to engage in the national dialogue on justice and reparations. Victims' rights workshop were held drawing from Kituo's network of CBOs from Mombasa, Vihiga, Kericho, Naivasha, Laikipia, Siaya, Kitale, Kisii, Nyamira, and Kisumu. In addition, field visits were conducted to Mombasa, Kisumu and Eldoret for monitoring purposes of the Commonwealth project. During the monitoring process, nine (9) focus group discussions were held with project beneficiaries in Likoni, Kisumu and Eldoret. A total of thirty (30) respondents participated.



# ADVOCACY, GOVERNANCE AND COMMUNITY PARTNERSHIPS



*The Kituo Cha Sheria team hands over various materials for use by the Langata Women's Prison at the women's prison*



*Participants following proceedings during the M-Haki-Haki Mkononi launch*

The programme also held consultations with Luo Council of Elders, PEV victims and Judiciary on the formation and establishment of an AJS mechanism to deal with identified PEV matters. Its main mandate is to provide a forum for closure for victims, promote healing, reconciliation and restorative justice. Under this activity, 40 PEV victims, 5 Elders and 1 magistrate were consulted.

The programme was actively involved in advocacy for the newly enacted Legal Aid Bill, 2015 in partnership with ICJ. A number of the proposals for amendment of the then Bill during its 3rd reading were accepted.

The programme also implemented a number of activities including: a county-based dialogue in Taita-Taveta County under the USAID funded project. Under this activity, the Department held discussions with the residents of Taita-Taveta County on issues around devolution, public participation and governance.

The programme implemented two dialogues between government and beneficiaries in Mombasa and Kwale Counties. The issues that were subject to discussion involved irregularities of Diani Settlement Scheme and Hodi Hodi Settlement Scheme in Kwale and Mombasa counties respectively.

On 13th July 2016, the department in collaboration with other civil society organisations in Mombasa County presented a petition to the Senate on the lack of public participation in the formulation of the Appropriation Bill of Mombasa County. This advocacy initiative was done together with the public interest case seeking to stop the enactment of the Mombasa County Finance Act due to lack of public participation.

During the period under review, the department in conjunction with the Legal Aid and Education Programme in Mombasa implemented the final year under the USAID grant. A number of activities were conducted including the following:

- Quarterly meeting of the Coast Land Non-State Actors Network in Mombasa County
- Question and Answer Ferries at Likoni in Mombasa County
- Community mobile devolution cinemas held in Taita Taveta and Lamu Counties
- Annual county leadership dialogue, graced by Prof. Saad Yahya, had participants from Mombasa, Kilifi, Kwale, Taita Taveta and Lamu counties, in Flamingo Beach Hotel.
- Budget consultations were held in Kwale and Mombasa Counties

# ADVOCACY, GOVERNANCE AND COMMUNITY PARTNERSHIPS



*Prison officers and Kituo officers pose for a group photo at the Meru Main Prison*



*Kituo officer Faith Ochieng' (centre) and a community paralegal Ms. Judith Ochanda during a live radio talk show in Kisumu*

- Market pep-talks for women held in Lamu, Taita Taveta and Kilifi counties
- End of project evaluation

A film for the extraordinary story of Kinamba IDPs – Laikipia was produced and launched with support from GIZ. The film has been submitted for an award competition in Germany. It has also been widely shared in Kituo platforms and with stakeholders from government and civil society.

A National Victim Conference was held from 26th to 27th July 2016 at Kasarani Sports Stadium. 102 participants (47 male, 55 female) attended representing victims' groups from all over the country. This event was sponsored by KITUO along with other CSOs namely KTJN, ICTJ, KHRC, KPTJ, PHR, Grace Agenda, FERA, NVSN, PDNK, CJPC, Bishop Muge Foundation, Wagalla Massacre Foundation, Africog and KHRD.