

Engaging Pro-Bono Lawyers and Peer Legal Counselors for Expanding Access to Justice



Mr. Ken Nyaundi, former Chair of the board addresses the participants during the event

Kituo Cha Sheria (KITUO) in Kenya created a new model of access to justice when in addition to legal aid, took the approach of legal empowerment. It provides legal education to marginalized communities and to inmates in prisons through a model of Community and Prison Justice Centres to empower them to understand and advocate for their own rights. Within prisons, the legal education training is designed for inmates of all genders who face barriers in understanding their legal rights and protections, and to build their own self-sufficiency. The participating incarcerated individuals learn and pass on this knowledge to as many other inmates as possible. As a result, KITUO has spread to a group of over 6,500 trained inmates who have brought over 3,600 successful appeals resulting in releases, reduction of sentencing periods, re-trials and acquittals. Since 2012, KITUO has been able to bring about 41 death row acquittals and 77 acquittals for individuals sentenced to life. When issues of poverty, marginalization, and vulnerability affect people's rights to access justice, KITUO steps in. Established in 1973 as a small group of

legal professionals, KITUO recognizes that legal services are still greatly needed in a country where the current ratio of legal practitioners to the population is 1: 5000. KITUO'S legal professionals provide pro-bono (free) legal aid and promote these services through volunteerism as a core value of its work. The volunteer advocates are registered with KITUO'S through a structure of volunteers who offer litigation services on a pro-bono basis for Kituo's clientele. Rather than outright recruitment, willing advocates approach KITUO to offer their services. They are required to fill in a volunteer advocates form including their name, law firm where they work, physical address, contact information and the specific legal field in which they would volunteer. Currently, KITUO has established three Prison Justice Centres, available at the Kamiti Maximum Security Prison in Nairobi, the Shimo La Tewa Men's Prison and Shimo La Tewa Women's Prison in Mombasa. KITUO expands the program to additional prisons as interest and resources allow. While it may appear basic to some, many of the poorest citizens have little understanding of critical documents,

drafting legal documents, court procedures, self-representation, or the impact they can make during their incarceration. After receiving professional guidance, prisoners feel confident enough to train fellow inmates, review their own cases to advocate in their own defense. The method utilized by KITUO is much quicker than waiting for only legal professionals to provide services. And when lawyers are in short supply, KITUO has a vast network of paralegals able to provide services even in rural areas, through their seven Community Justice Centres. These paralegals do not represent clients in court, but offer legal advice and conduct trainings in their localities on legal and governance issues. These paralegals are readily accessible to their communities, they understand issues within their localities better, and are a cost effective way of accessing justice.

Kituo involved in LAPSSET project human right issues

KITUO Mombasa office has been working towards raising national and international-level awareness human rights abuses related to the LAPSSET and promote transparency and accountable to its citizens. This has been through conducting trainings on inter community dialogue forums. Participants from local civil society organizations (environmental groups, development organizations, youth groups, women organizations, welfare groups, and local communities) who fall under the Save Lamu coalition were involved in the training. 39 were male and 21 were female. The inter-dialogue forum allowed for the community to share their experiences in open conversations and also get a legal interpretation on the same in a simplified mode that is easily understood.

The inter community dialogue forums provided the space needed to start crucial conversations that discussed various issues. Key among them in both Pate and Amu were the problems that will be caused or aggravated by LAPSSET project, Insecurity issues, land rights, drug abuse, low education levels, weak leadership and health. It also emerged that the importance of women representation in various committees that are formed by the communities to address issues they grapple with was mainly cosmic. The women had no voices in these crucial platforms. Something attributed to the choice of women and also culture.



Participants during the inter community dialogue forum

Kituo Cha Sheria awarded by Law Society of Kenya



Jubilant Kituo staff led by the ED with the Award

Kituo Cha Sheria was honoured a "Distinguished Service Award" by the Law Society of Kenya during its 21st Annual Conference held on August 2014. The award was a recognition of Kituo's continued effort in ensuring "Access to Justice for all". After receiving the award, Kituo cha Sheria Executive Director Gertrude Angote updated on her Facebook page, "A "Distinguished Service Award" Is indeed befitting and humbling. Thank you all Kenyans for promoting the dream towards "access to justice for all".

Kituo bids farewell to Mr. Ken Nyaundi as Chair



Kituo Board members, Joy Asiema, Sally Mbeche and Ken Nyaundi during the function

Kituo Staff had a high tea with the Board of Directors and had an opportunity to engage them in a one on one session on Wednesday 30th July 2014, at Best Western Hotel in Hurlingham. This was preceded by a presentation from all programs heads. The occasion also served as a farewell for Mr. Ken Nyaundi who was retiring as the Chair of the BOD to hand over to Mr. Anthony Mulekyo. Mr. Nyaundi however remains as a board member.



Kituo under project Kenya Tuna Uwezo conducts a series of training on land and devolution in Nairobi's informal settlements



Waithaka, a program officer conducting one of the training

The ongoing trainings on land and devolution in various informal settlements such as Kibera, korogocho, Kamukunji, Majengo, MukurukwaNjenga, Dandora and Eastleigh have ignited fresh knowledge on land and devolution among the trainees. In places where the training had already been conducted such as Eastleigh, Kibera and Korogocho, residents have come up with cases involving land which they want Kituo to do a follow up as they already know their role or in safeguarding either public or private public properties. Marcelino Waithaka of Kituo who has been a major trainer says that, "the training has already born fruits as residents are now more alert on their rights as they have presented to Kituo interests on cases of land grabbing and succession that Kituo has to assist them".

Nairobi University Institute of Diplomacy and international studies students trained Refugee Law



Gertrude Angote, the ED addresses the participants

Kituo Forced migration Program conducted a week long training on refugee law at Nairobi University, Institute of Diplomacy and international studies from 4-9th August 2014. The participants who had successfully completed the training on Refugee Law Program were awarded certificates. The training

was a partnership between Kituo cha sheria-Forced Migration Program, UNHCR and Nairobi University, Institute of Diplomacy and international studies. The partners are planning to extend the training to other universities nationally.

Kituo pays tribute to Odindo Opiata



Kituo was honoured to pay tribute our good friend and colleague, James Odindo Opiata. He was a well-respected and well known Advocate of the High Court of Kenya and passionate about Social Economic and Cultural rights issues. He was passionate about his fellow man and devoted his life to serving others especially the poor and marginalized and especially in the slum areas. He was associated with KITUO since 1999 where he served as Coordinator of Legal Services and Community Partnerships program. He left Kituo and founded The Hakijamii Trust where he was the Executive Director by the time of his demise.

Kituo cha Sheria kicks off forums on Sexual Gender Based Violence (SGBV) in informal settlements in Nairobi



Some of the participants during the Kibera forum

Advocacy, Governance and Community Partnership programme (AGCP) has started forums on SGBV in Kibera and other informal settlements. The forums are aimed at empowering people living in informal settlements on gender based violence as well as coming up with way forward on how to

deal with SGBV that is mainly rife in informal settlements. The areas of focus are those that were highly affected during the 2007/8 post-election violence. The group is also taking statements that will help them to form the basis of their petition or way forward in advancing their course.

Key Upcoming Activities

1. Strategic Planning Retreat - Oct 2014
2. Team Building - Oct 2014
3. PIL case for the fishermen in Lamu - Oct 2014.
4. Validation workshop for the draft baseline survey report on human rights violations along the LAPPSET corridor
5. Turkana Fact Finding Mission - November 2014
6. Mathare SGBV forum- 30th -31st October
7. Kericho SGBV Forum- 2nd and 3rd December
8. Kisumu Community Awareness Forum on SGBV- 5th and 6th December

Kituo Celebrates Katiba Day



Kituo staff and invited guests during the celebration at Kangemi in Nairobi

Kituo cha Sheria joined the world in commemorating the Katiba Day on 27th August 2014. The event was aimed at celebrating the gains we have after 4 years of promulgating the constitution as well as strengthening the gaps in realization of devolution gains. The event was held at Kangemi on 27th August 2014.

The people of Kenya through a referendum adopted the new Constitutional order promulgated on the 27th August 2010 at Uhuru Park, Nairobi. The supreme law envisaged a new political, cultural and socio-economic era where the aspirations of the Kenyan people for a government that promotes the rule of law, respects human

rights, equality and democracy as necessary tools for development. In exercising this authority, every citizen and every person irrespective of tribe, race, religion, and status has an obligation in respecting the Constitution and actively participating in its implementation and enjoying the gains.

The question we grapple with is, if this has been the case and if not, how we can strengthen the grey areas as community and civil society actively engaged in the process of implementing the constitution and enjoying the gains.

The guests who included Kituo cha Sheria Executive

Director, Gertrude Angote, Mercy Wambua from Law Society of Kenya, area chiefs and assistant county commissioner, acknowledged the fact that the period has not been all rosy. There has been ups and downs and there was need to sit together as Kenyans and see where we have failed and seek the necessary remedies.

We're keen to address the gains and the challenges we have faced in the period through which we have promulgated the constitution. There has been various emerging issues and concerns especially on the pending legislation on land and evictions and resettlements bills before the parliament.

For the four year's period, the public have become more aware of their duties something that has increased interaction between policy makers and the public. The public have been equipped with knowledge on their participatory roles as well as oversight not only at the county level but also nationally.

SUCCESS STORY OF SUSAN KAVESA



Susan with Kituo Staff Boniface Muinde who assisted her

Susan Kavesa worked for a certain family as a house help here in Nairobi. During the March 2013 elections, she requested permission to go upcountry so that she could exercise her democratic right by voting. After the exercise, she returned only to be informed that she had been fired. Armed with some knowledge of her rights as a worker, she informed the employer that she was supposed to have been given a one months notice before termination. However, this was just taken lightly by her boss.

She was advised by friends to go to the Kenya union of domestic, hotels, Educational institutions and hospital workers where she was supposed to pay a Kshs 100 registration and an equal amount every month as a membership fee. The union did for her demand letters that were taken to her former employer. However, he did not respond nor answer their demands. As the law requires, further action was supposed to be taken when the employer declined to respond to the demand letter but the union referred her to Kituo cha Sheria.

Kituo took over her case and filed new demand letters asking for an additional of Kshs 100,000 more than what the union had demanded. This was within the law as the employer was supposed to remit NSSF, NHIF and failure to give notice for the employee. A week later, her former employer came to Kituo offices willing to negotiate for a settlement. Susan was later paid her money in full and expressed gratitude to Kituo for the assistance.

Kituo and its partners Celebrates the International Day of Peace



Participants display a banner during celebrations to mark the International day of Peace in Eastleigh, Nairobi

On 20th September, Kituo joined the world in celebrating the international day of peace at Eastleigh high School. From the speakers, dancers, singers and actors, the message was clear that; we all want peace. It was an important occasion where people from all walks of life gathered to observe the international day of peace as it was the case in other parts of the world. There were intriguing

performances from dancers, rappers, actors and a football session where the message they were portraying is that we want peace and co-existence not only in Kenya but in the whole world. Indeed, we all have the right to peace.

Australia Broadcasting Corporation (ABC) to produce a documentary on Kituo's paralegal work



Australia Broadcasting Corporation (ABC) TV in partnership with Kituo cha Sheria are producing a documentary on kituo's paralegal work in prisons and in communities. Sally Jane SARA and Craig Philip BERKMAN from ABC were at Kituo's head office where they interviewed, AGCP Program Coordinator, Aimee Ongeso and paralegals from Kituo's Community Justice Centers as well as in Prisons where Kituo has also established Justice centres and trained paralegals over the years