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We Care For Justice

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KITUO Establishes Lang'ata Women Prison Justice Center



The Executive Director, Ms Gertrude Angote presents Equipment for the Prison Justice centre to the officer incharge after the launch

Kituo Cha Sheria conducted a paralegal training that focused on Criminal law and procedures from the 14th to 22nd March 2016 at the Lang'ata Women Prison. This training was geared towards empowering the inmates on their fundamental legal rights and self-representation in court.

30 inmates comprising of those on long sentences, pre-trial detainees charged with capital offences as well as the condemned and 5 prison constables were effectively trained. The topics covered included Paralegalism; Introduction to Human Rights; Bill of Rights (Chapter 4 of Constitution); Criminal Procedure Code Chapter 75 Laws of Kenya (Powers of Court, Provisions relating to all Criminal investigations, Mode of taking and recording Evidence in Trials, Procedures in Trials before a Subordinate Court and High Court, Sentences and Executions and Appeals); Self representation (Criminal Approach); Power of Mercy Act; The Prisons Act and Community Service Order.

The training was conducted by Kituo Advocates and Kituo Volunteer Advocates within Nairobi. Majority of inmates at Lang'ata Women Prison are fairly very young women who are ignorant of their rights or the law and who have in extension tumbled into crime without realizing the consequences hence the need to inform them.

Kituo's main aim of prison paralegal trainings is to decongest correctional facilities by empowering the prisoners and remandees on self-representation in court, how to adduce evidence if any, how to cross examine witnesses, how to write their submissions, how to make litigation statements, how to make interim applications such as those for bond, bail, and making applications for Community Service Order.

Giving inmates the tools to represent themselves in legal matters will increase access to justice and also empower inmates to challenge situations of injustice and abuse of certain rights inside the prison.

Bringing prison constables on board was also deemed imperative in creating awareness on inmate's rights and their obligations to ensure the rights of the inmates are protected as well as offer oversight in ensuring that prison paralegals work with the officers and raise awareness about the activities of the paralegals in prison.

After the two weeks rigorous training, on 23rd March 2016 the 35 inmates and 5 prison constables graduated and vowed to offer free legal aid to other inmates and use the acquired skills to ensure principles of justice are always adhered to. The graduation ceremony was preceded by successful establishment of the Lang'ata women justice center. The event saw the official opening of a well equipped office space with reference books/materials, computer, printer and other stationeries. The ceremony was presided over by the Executive Director – Kituo Cha Sheria, Ms Gertrude Angote, Lang'ata women Prison officer-in-charge Ms Olivia L.A. Obel and other dignitaries.



The Executive Director, Ms Angote presents a certificate to a prison officer after the training

Muthurwa Right to Housing Appeal Hearing



Kituo Advocates Rhodah Maina and John Mwarini address Muthurwa residents outside the Court after the Hearing

On the 27th of April, 2016 Kituo Cha Sheria appeared before Justice Erastus Githinji (Lead judge), Lady Justice Fatuma Sichale and Justice Sankale ole Kantai at the Court of Appeal Nairobi.

Kituo had lodged an appeal in the Court after the Kenya Railways Staff Retirement Benefits Scheme put up a notice on the Daily Nation on Thursday, 21st April 2016, asking the tenants to vacate the estate by Saturday 30th of April 2016 otherwise they would be forcefully evicted from the premises. In the appeal, Kituo had applied for Orders among them that the application be certified as urgent and a status quo be maintained pending the hearing and determination of the Appeal.

Kituo advocate Ms Rhodah Maina together with Waikwa Wanyoike of Katiba Institute argued the case before the judges.

The judges granted the prayer on maintenance of the status quo meaning that there would be NO eviction until the ruling of the matter scheduled for the 13th of May 2016.

Durham University Students Visit Kituo



Kituo members of staff and Durham University students pose for a group photo at the Head office

On 12th April, 2016 a group of 6 students from Durham University in the United Kingdom paid a courtesy call to Kituo Head Office in recognition for her relentless work on international development/peace building work in Kenya. The field trip facilitated by Jodom Mwebi sought to give the students an overview on how international development/peace building and local CSOs work in Kenya with KITUO as a key actor in this sector.

KITUO seals deal to enhance the knowledge capacity of Kabarak University Law Students



Kabarak Law School Dean Mr Elisha Ongoya and the ED during the signing ceremony

Kituo Cha Sheria on 10th March, 2016 signed a Memorandum of Understanding (MoU) with the Kabarak University Law School.

The ceremonious deal was presided over by the Executive Director Ms Gertrude N. Angote and the Dean, Kabarak University School of Law, Mr. Elisha Z. Ongoya.

The MoU depicted various issues pertinent to enhancing the knowledge and skills of the law students. Kituo committed to coordinate with other partners to train the students on: Information on the various national and international instruments on refugee protection; An understanding of the definition of and ability to distinguish between a refugee, an asylum seeker, a stateless person and an internally displaced person; An understanding of what refugee rights and obligations are; Familiarity with potential areas of practice within the refugee sector; Familiarity with the legal/identification documents issued

to refugees and asylum seekers in Kenya by the UNHCR and the DRA; An understanding of specific legal needs of refugees, relating them to and identifying gaps within the Refugee Laws; The ability to guarantee refugee protection within the given legal parameters; Being equipped with communication and court room skills and Basic introduction to Alternative Dispute Resolution as relates to refugee law among other issues surrounding forced migrants.

The ceremony took place at Kituo Cha Sheria's Forced Migration Programme (FMP) office in Jogoo Road, Nairobi and was witnessed by members of staff from all Kituo programs present.



Representatives of organisations present jointly cut a cake after the successful ceremony

Key Upcoming Activities MAY - JUNE 2016

1. Community Based Refugee Protection Paralegal Training, May 3
2. FREE legal Aid (Annual Labour Day) Clinic 5th May.
3. Land mediation in Taita Taveta on 26th May
4. Inter community dialogue in Lamu on 16th to 19th May
5. Question and answer ferry experience 2nd June
6. Six community video screenings in Taita on 23rd to 24th May and Kilifi on 14th and 15th June
7. Three community Budget Consultations in Kwale ON 31st May, Lamu on 18th May, and Mombasa on 19th May
8. Muthurwa Right to Housing Case Ruling 13th May.
9. M-Haki VA training Nairobi, May
10. Prison Paralegal training and establishment of a justice center at Meru G.K Prison.
11. Dhobi Women Training, May
12. Legal Aid Clinic and VA recruitment Marsabit and Nanyuki.
13. Quarterly meeting with CLNSA 10th June
14. County based dialogue in Kilifi on 18th JUNE
15. World Refugee Day, 20th June

Chief Justice Willy Mutunga Visits Kamiti Prison Justice Centre



CJ Willy Mutunga is joined by Kamiti Prison authorities and paralegals during the tour of the Kamiti Prison Justice centre

Kituo Cha Sheria, Legal Resources Foundation Trust - LRF and African Prisons Project joined the Chief Justice Dr. Willy M Mutunga at the Kamiti Maximum Security Prison on 17th March, 2016.

The visit by the Chief Justice, also a founder member of KITUO was a great moment to assess innovations and transformations depicted in the Kenyan prisons to heighten the prisoners' quest for justice. KITUO was applauded for establishing a justice center in the prison to assist inmates access legal services. It was observed that most of the trained paralegals have used the acquired skills to represent themselves in court and have since been set free. Others still in prison continue to climb the ladder as most of them are now studying law and continue to offer legal services to fellow inmates.

"Everyone who is in the prison is NOT a criminal, some are just victims of circumstances, they should be treated with dignity!" acclaimed one of the inmates who is currently being assisted by the prison paralegals to draft his appeal. Viva Kituo!

Kituo undertakes Question and Answers at the Ferries Waiting Bay Paralegals' Training on m-HAKI



Mr. Mwachondo chondo, a commuter, answering questions around devolution from Evans Ouma, Kituo's community facilitator

Kituo Cha Sheria addressed the effectiveness of public participation in the budget making process at County Government level ahead of budget making at the county government process. The event that reached out to over 900 people took place at the ferry waiting bay as commuters await transport crossing from Mombasa to Likoni. Two Kituo staff guided by a set of five questions held discussions caucuses in the waiting area.

The five guiding questions for the exercise were geared towards enabling members of the public to demystify various notions that the people have towards their effective participation in any activity undertaken by the government and to explain devolution and structure of the devolved government.

The questions were to engage the public on whether they have attended a forum for budget making process this year 2016 and

whether they know the venues and dates when the budget making process was (will be) performed; Whether their views were taken into consideration during the process; as to whether there have been any impacts felt by the people since devolution was established; the challenges encountered by the people in the process of Public Participation; and the solutions to those challenges.

Kituo identified major areas of concern to enhance sensitization process in ensuring devolution bears fruits and uplift the livelihood of the common public. Kituo committed to create more awareness on devolution, engage the County Government on the areas noted for improvement and facilitate dialogue between the County Government and the stakeholders, communities at the coast to ensure both sides understand their roles.



2. A participant explaining challenges experienced during public participation as Kituo's community facilitator, Evans Ouma looks on



Community Paralegals pose for a group photo after the MHaki training at Heron Portico Hotel

On March 7th March, 2016 Kituo Cha Sheria trained paralegal officer from all the 6 Kituo Community Justice Centers in Kitui, Nyando, Turkana, Kamukunji, Kibera, Korogocho on M-Haki.

Paralegals drawn from the Refugee Community through Kituo's Forced Migration programme also attended the day long training at the Heron Portico Hotel-Nairobi.

away...Haki Mkononi.

M-Haki follows the idea of delivering basic justice/legal advice to people even for those who use quite basic mobile phones. The system operates simply with SMS messages coupled to the M-Haki website.

A total of 45 community paralegals were taken through the M-Haki platform in its entirety before a live testing session was conducted. The training was a first in a series of trainings to be conducted to other key Kituo stakeholders including volunteer advocates.

The training also presented an opportunity for Kituo to plan for market research and piloting in the community where our Justice centers operate.

The platform also serves as an advocacy tool and will be used by Kituo paralegals from the community justice centres to build their personal capacity on legal issues and create awareness among the general public on how to access the service directly.

Questions are gathered from anyone and anywhere and this will save persons the trouble of using bus fare to come to Kituo's office and legal advice is just a click



Attentive paralegals during the MHaki training



KITUO Conducts Intercommunity dialogue at Ziwa la Ngombe



A Community leader giving insight during the Intercommunity Dialogue session in Ziwa La Ng'ombe, Nyali Sub County, Mombasa County

Kituo Cha Sheria on 29th March 2016, conducted an intercommunity dialogue session at Ziwa la Ngombe settlement scheme, in Nyali Sub County, Mombasa County.

The area consists of five (5) villages namely Bombolulu, Voice of Kenya (VOK), Kisimani, Mkunguni and Ziwa la Ng'ombe. The dialogue was a follow up of a similar one which had taken place between the community and the Government that KITUO had earlier organised.

The thorny issues around Ziwa la Ng'ombe Settlement Scheme arose from the inordinate and inequitable manner in which the government handled adjudication process in the five villages. Some sections of the scheme had been finalized faster than others leading to inequity and inequality in land rights amongst the community members. It was further established that even though some of the affected community members had allotment letters, their parcels were not demarcated with beacons. Consequently, they did not know the fixed boundaries of their parcels of land hence boundary feuds. Some of the community members had disregarded the law which restricts the sale of parcels of land in settlement schemes, transferred their parcels using the letters of allotment as proof of ownership. This had been identified as a conflict prone matter. The community already seemed to have classified itself into their "village cocoons" rather than a unified force to address arising problems in Ziwa la Ng'ombe Settlement Scheme.

Beyond the land matters from the Community, participants touched on the massive World

Bank Project and entry points to engage county Government in budget making process. While the World Bank Project was lauded for improvement of the general living standards of the common man in the area, a number of concerns were raised regarding its implementation. The questions were equally responded to by the community leader in charge of the program. A clue about budget making process was hinted as a sure alternative of ensuring that the gaps in development are get filled.

This exercise was planned in a way to ensure dialogue between members of the Community towards debriefing vent of anger and to find a solution to the land problem facing them. It was also intended to be distinct in that it widely involved members of the community.

There were five (5) participants from every village end, a community and a religious leader who understood the intrigues of the area. This was in a bid to provide relevant information and to counsel members of the community. The platform was intended for venting and airing of view on land and related community problems.



Mr. Zedekiah Adika (standing) of Kituo Cha Sheria explaining a point to residents of Ziwa La Ng'ombe during a Community Dialogue Session in Ziwa la Ng'ombe, Mombasa County

Kituo enlightens the Youth through video screening in Mombasa and Kwale Counties



Mr. Timothy Kiringi engaging youths in Mikindani, Jomvu Sub County, Mombasa County

Kituo Cha Sheria with support from USAID undertakes Community Video Screening program in Mombasa and Kwale Counties. Community Video screening targets youths in the Coastal regions through creation of forums at the Video Halls to dialogue on issues affecting them. It is geared towards ensuring enhanced public participation and inclusion in Governance with the intention of cementing stability and peaceful coexistence in the Region.

From the onset of the activity, a video is screened to the participants directing their focus to issues of devolution, peaceful elections and peaceful resolution of land matters. The play is meant to elicit discussions on the above themes and any other emerging issues around devolution. The discussions take place immediately after the screening. These happen in Local Video Studios where Kituo Cha Sheria with the support of USAID caters for the participants' viewing fees and the cost of the hall for the time of the screening.

Kituo Cha Sheria visited Likoni Sub County, Likoni Ward; Jomvu Sub-County, Mikindani Ward; and Kisauni Sub-County, Frere Town Ward in Mombasa County between February 15th, 2016 to March 15th, 2016, which coincided with the process of National Mass voter registration and in Msambweni Sub County; Matuga Sub-County and Lunga Lunga Sub County in Kwale County between 22nd March 2016 and 24th March 2016.

Kituo emphasized on the need of public participation and urged the youth to even take the initiative to register as a voter as this will enhance their participation in decision making process; the structure of the County Government and the youth avenues of engagement regarding bursary application procedures, necessary practices of registering for identification cards and the youth funds; sensitization on the process of sale/purchase of land, the need for parties to conduct search and the emphasis on drawing/writing a contract and the need for peaceful resolution of land cases, noting in the process the roles of constitutional bodies including National Land Commission and the courts. In the process, Kituo enlisted the need of Alternative Dispute Resolution and representation if need be.



Participants at a group discussion in LungaLunga Sub County, Kwale County

Sensitization Campaign for Police Officers on Refugee Protection



Joan Nyongesa of Kituo leads discussions during the sensitization campaign as participants keenly follow

Kituo Cha Sheria in partnership with UNHCR KENYA and Department of Refugee Affairs – DRA-Kenya carried out a sensitization campaign for police officers on Refugee/Asylum seekers protection in Kenya. The 2 day sensitization training was held on the 30th and 31st March, 2016 at the Six eighty Hotel, Nairobi.

As stakeholders and law enforcers, the police need to be sensitized on how to handle persons of concern in the host state; also important are the new developments

in refugee law and proposed new policies on handling refugees and asylum seekers.

The training focused on aspects of the historical background to refugee law in Kenya; Identification of persons of concern; Refugee Status Determination (RSD), Identification documents, principle of non-refoulement, Durable Solutions, the role of the police in protecting refugees/asylum seekers, the role of partners/actors among others. The training attracted a total of 40 police officers drawn from police stations in Nairobi County.

Community Sensitization Forum for Urban Refugees



Discussions during the community sensitization forum in Umoja, Nairobi

Kituo Cha Sheria in collaboration with UNHCR Kenya, the Refugee Consortium Of Kenya (RCK), Danish Refugee Council-Kenya Programme, Xavier Project, Jesuit Refugee Service - JRS, Heshima Kenya and the National Christian Council of Kenya(NCCK) undertook a community sensitization forum at Jesus Great Harvest Church in Umoja, Nairobi.

The extensive forum attracted about 300 urban refugees mostly of Congolese and Burundi origin. The forum was geared towards addressing challenges faced by the refugees, answering specific questions and concerns of the refugees and highlighting the work carried out by the partner organisations in addressing refugee concerns in Kenya.

Kituo Conducts Forced Migration Training for Police Officers in Mombasa



Kituo's lawyer Mary Kitoo engages participants during the forum

No stone left unturned! Kituo Cha Sheria in conjunction with UNHCR Kenya, the Department of Refugee Affairs (DRA-Kenya) and the DRC - Horn of Africa & Yemen, from Monday the 7th of March to the 10th of March accomplished 4 days sensitization forums in various locations within Mombasa County to address issues that affect refugees.

Kituo and partners carried out community sensitization forums, enlightened various communities on voluntary repatriation,

documentation of refugee issues and addressed various challenges affecting refugees.

The forums were geared towards strengthening the Coastal Urban Refugees Protection Networks (CURPN), Kituo and partners met community leaders including Imams and volunteers and undertook detention monitoring in various police stations within the 4 days.



Participants pose for a group photo after the police training in Mombasa

Kituo Cha Sheria through the Forced Migration Programme (FMP), Mombasa Office in collaboration with the Department of Refugee Affairs – DRA-Kenya and the Danish Refugee Council Kenya Programme on 20th April, 2016 conducted a one day police officers' training at the Reef Hotel in Mombasa. The training was meant to build the knowledge capacity of the police officers on how to handle forced migrants. The noble endeavor involved about 25 police officers drawn from different stations across Mombasa County.



Kituo's Mary Kitoo during the Police Officers training