

Kituo engages with the IEBC on Prisoners' vote



Kituo Cha Sheria programme officers together with the Prisons Reform Working Group (PRWG) pose for a group photo after the meeting

Kituo Cha Sheria through the Prisons Reform Working Group (PRWG) held a meeting on 26th April, 2017 at the Independent Elections and Boundaries Commission (IEBC) offices in Nairobi.

Kituo has been pushing for voting of prisoners in Kenya and the Independent Elections and Boundaries Commission (IEBC) registered prisoners as voters in the last mass voter registration exercise. As a follow up to this, the PRWG and the IEBC held the meeting to discuss the various emerging issues and expected outcomes in the forthcoming general Election.

Kituo was represented by programme officers Faith Onyango and Marcelino Waithaka at the meeting where the PRWG submitted a policy brief on the prisoner' right to vote as espoused in Article 38 of the Constitution.

The Working Group sought clarification on the decision to allow prisoners to vote for the Presidential candidate only. The Working Group made reference to the judgment by Justice Majanja, J in 2013. Also discussed were various other issues including the data of the registered voters in prison, verification of the register of voters in the prisons, accreditation of the PRWG as election observers and areas of collaboration such as civic/voter education in prisons.

IEBC undertook to develop frequently asked questions (FAQs) on the prisoners' rights as a voting constituency. Kituo through the Working Group will continue to engage with IEBC to realize the Rights in Article 38 for prisoners in Kenya.

KITUO'S HAKI BLOG Nominated for BAKE Awards



On 3rd April, 2017 Kituo Cha Sheria's Haki Blog - <https://kituochasheria.wordpress.com/> received nomination as the best Human Rights Blog in the 6th Bloggers Association of Kenya (BAKE) Awards 2017. The interactive Blog was nominated in the competition's Human Rights category being among the over 10,000 blogs submitted to the judging panel for the 23 categories in the awards.

Haki Blog is a human rights-centred blog which continues to publish legal articles touching on all aspects of the Kenyan society and beyond...it is where legal opinions count!



KITUO CHA SHERIA - The 6th Africa Leadership Award Winner 2016

KITUO conducts Radio Talk Shows in Mombasa



Kituo's Zedekiah Adika joined by Ayuo Ketta from Pamoja Trust at Pwani FM studios

On Tuesday, 21st of March 2017, Kituo Cha Sheria conducted a radio talk show at Radio Salaam in Mombasa on access to justice and other human rights.

The talk show was aimed at sensitizing the general public on how to access legal services from the state as provided under the Constitution and the Legal Aid Act 2016. The enactment of the Legal Aid Act 2016 in particular means that the roles of community paralegals have become even more prominent as their work in promoting access to justice is now anchored in law and they can render advice and assistance.

Kituo Cha Sheria's programme officer, Zedekiah Adika also shared with the public, the role of Kituo in ensuring access to Justice.

The talk show was very interactive with members of the public sending in text messages into the station and making phone calls seeking assistance with various legal issues.

The shows were being conducted on Radio Salaam and Pwani FM; both local radio stations based in Mombasa covering the six coastal counties.

KITUO hosts Bosch Foundation visitors



Kituo Cha Sheria staff, Founder member and two visitors from the Robert Bosch Stiftung Foundation at the Head Office

Kituo cha Sheria on Wednesday, 5th April 2017 hosted visitors from the Robert Bosch Stiftung Foundation. The two guests from the Foundation's International Relations (Europe and Its Neighbours) Department were received at Kituo by the Executive Director, Gertrude Angote and one of Kituo's founder members, Advocate Steven Adere.

The visit was an opportunity for Kituo to showcase its programmatic work in promoting access to justice. The Bosch Foundation works in empowering partners whose activities contribute to increased civic involvement by populations across the world.

VOLUNTEER ADVOCATES' TRAINING ON REFUGEE LAW



Forced Migration Program Coordinator Clara Barasa, leading a session during the training

Kituo cha Sheria on 27th and 28th April 2017 conducted a two-day training on refugee law to volunteer advocates at the Lake Naivasha Country Club in Naivasha. Kituo cha Sheria has overtime established a scheme of Volunteer Advocates in urban centres across the country who assist the organization in fulfilling its mandate.

In order to expand our scope and successfully reach out to the refugee population in need of legal services in urban centres Kituo conducted the training to capacity build the Volunteer Advocates on Refugee Law and other contemporary issues on Refugee Management to enhance access to justice by refugees. The training was conducted through the partnership of the International Rescue Committee (IRC), UNHCR and Refugee Affairs Secretariat (RAS).

The training aimed at raising awareness on Refugee Law, Human

Trafficking and Smuggling and contemporary issues on refugee management in Kenya and across the globe. It was conducted by FMP's Coordinator Clara Barasa, Victor Ondieki and Kimani Rucuiya and saw about 30 advocates from major towns across Kenya in attendance.

Some of the topics covered at the training include, Introduction to Forced Migration and forced migrants, Development of International, Regional and National Legal Framework on Refugees, Management of Refugees in Kenya (Refugees Act, 2006), The Refugee Status Determination (RSD) Process, The Principle of Non-Refoulement, Durable Solutions on refugee problem, Refugee protection vs. National Security, The Concept Trafficking & Smuggling in Persons, Contemporary Issues in Refugee Management in Kenya and the role of advocates and other Actors in protection of Refugees and asylum.

KITUO Conducts Legal aid clinics in Kwale County



Kituo's programme officer Zedekiah Adika leading a sessions during the legal aid forum

In April Kituo cha Sheria was part of a team offering free legal aid services to the community in Kwale County. The various sessions were conducted in Bang'a, Kinango, Mwananyamala, Mivumoni and Lukore in Kwale County. The team conducting the activities was made up of lawyers from Kituo cha Sheria, Plan International-Kenya, CLEAR Kenya, LawQuery and volunteer advocates from the coastal region.

In addition to the legal clinics, public awareness forums were held handling children rights, child abuse, women rights and the place of women in leadership, civic education and general human rights. Kituo's programme officer Zedekiah Adika led various sessions during the 4-day activities which also touched on fundamental human rights, governance and the need for peaceful citizens' participation in the electoral process.

Key Upcoming Activities May - June 2017

1. Press Release Training - 17th May
2. Corporate Social responsibility 23rd June
3. Health Education day - 26th May
4. Justice Day celebration at Lang'ata women's prison - May
5. Legal Aid clinics with community justice centers in informal settlements - May
6. National oversight task force recommendations collection in Turkana county - June
7. Voter education with prisoners May - June
8. Donor Round Table meeting - 8th June
9. Legal Aid clinic at Kibera and Makueni May - June
10. Electoral laws: Peaceful election awareness; radio talk shows, video cinemas in Kisumu and Kakamega - May
11. Uchaguzi wa amani: County based dialogue; Kisumu and Kakamega, Community video screening, radio talk shows - May
12. Visit to Shimo la Tewa prison justice center - May
13. Meeting/caucus on mareneni case - May
14. Joint training by officers in Mombasa by PILPJ - June

KITUO ATTENDS AFRICA CENTRE OF EXCELLENCE MEETING IN MALAWI



Kituo Cha Sheria Executive Director, Gertrude Angote (in purple) together with partners from Africa at an Africa Centre of Excellence founders at the Convention

On 19th-20th March 2017, Kituo Cha Sheria had the pleasure to join partners from Africa at an Africa Centre of Excellence founders meeting at the Bingu Wa Mutharika International Convention Centre (BICC) Lilongwe, Malawi.

Kituo was represented at the meeting by the Executive Director, Gertrude Angote. The team of access to justice peers that included Nomboniso Nangu, Langa Mtshali, Clifford Masiska, Vuyiswa Sidzumo and Brian Kagoro among others held conversations on the feasibility study and early inputs.

A team drawn from South Africa's National Alliance for the Development of Community Advice Offices (NADCAO), the Paralegal Advisory Service Institute (PASI) from Malawi and Kituo cha Sheria from Kenya is working on a feasibility study with other partners meant to examine the feasibility of establishing an African Centre of Excellence for Community Based Paralegals.

Key partners include the Dullah Omar Institute at the University of Western Cape, who are authors of the Feasibility Study and the Southern Africa Trust.

The discussions centered on getting a sense of the scale and scope of activities of the Centre including infrastructure considerations and generally developing a guiding tool for investment in the Africa Centre of Excellence. The results of the Feasibility Study are tentatively set to be launched during a Continental Conference in Kigali, Rwanda on the 22nd-24th August 2017.

KITUO conducts Court Users Committee (CUC) training in Nairobi and Thika



Participants during the Court User's Committee training in Thika on refugee law and rights of forced migrants

Kituo's Forced Migration Program (FMP) conducted a three-day Court User's Committee training on refugee law and rights of forced migrants in Thika, Kiambu County. A similar one day training was also conducted in Nairobi

The training in Thika was led by Kituo's FMP Co-ordinator Clara Barasa and legal officer Joan Nyongesa; Lilian Obiye, Mitchel Ambasu Ayietsa, Imaana Fredrick Koome (RCK) and Thomas Kibunja (Refugee Secretariat Affairs); was conducted at The Luke Hotel- Cravers; Thika from the 29th-31st March 2017. The 30 participants at the training were drawn from the Judiciary, Kenya Police, Department of Children's Services, Probation and Aftercare Service and the Law Society of Kenya.

The Nairobi one was held at the Eka Hotel on 29th March and was led by Kituo lawyer Victor Ondieki.

Participants were introduced to forced migrants and refugee law, the development of international and regional legal framework on refugees, management of refugees in Kenya and refugee status determination among others. Participants were also taken through precedent setting cases on refugee matters in Kenya.

The training was undertaken in partnership with the Refugee Consortium of Kenya (RCK) and supported by the International Rescue Committee (IRC). It generally sought to train the CUC members on promoting and protecting the rights of refugees and other forced migrants.

Africa Capacity Alliance (ACA) Trains Kituo staff on Monitoring & Evaluation



Representatives from Kituo Programmes during the training on Monitoring and Evaluation

On 27th March 2017, Kituo cha Sheria hosted the Africa Capacity Alliance (ACA) team who conducted an On-Site Short Term Technical Assistance training on Result Based Management and Monitoring & Evaluation. The training was attended by representatives from all Kituo Programmes.

The ACA team comprising of Carol Maringa, Rohim Onyango and Peter Wang'ombe took Kituo's members of staff through the day-long session as part of their capacity development programme. Rohim covered Meaning

and purpose of Monitoring and Evaluation; Relationship between monitoring, Evaluation, Audits and Reviews; Monitoring and Evaluation Logical Framework, Indicators and tools; Monitoring and Evaluation Indicators. Peter went through The Ideals and Ethics in Monitoring and Evaluation.

This training will enhance our capacity in the areas of M&E and help Kituo to capture results better and be able to measure her contribution to the impact made in our mandate areas.

SUCCESS STORY: Jackline Achieng



The Legal Aid and Education Programme Administrator, Nathan Kivungi handing over a cheque to Jackline Achieng as other Kituo officers look on

“A domestic worker is an employee like any other and the provisions of the labour laws apply equally to them”.

Jackline Achieng, a Kenyan residing in Kibera, Nairobi County was a domestic worker for over six years starting August, 2010. Jackline diligently performed her duties in a certain household in Westlands, Nairobi. This was until September, 2016 when she left work, owing to the employer's failure to pay the emoluments due to her for the preceding two months.

In February, 2017 Jackline approached Kituo cha Sheria on the recommendation of her husband seeking legal advice and possible representation in court as she pursued her rights.

If a domestic worker is employed for 3 months or more or for a period that amounts to 3 months or more, then the employer is expected to draw up an employment contract. It is the employer's responsibility to ensure that the domestic worker understands all the terms

of employment and, therefore, interpretation of the contract may be necessary.

Jackline's claim was based on an oral contract of service between her and her employer and she narrated her understanding of the terms of the contract and monies owed that she was claiming to the Legal Aid and Education Programme Administrator, Nathan Kivungi. A demand letter was written and served on the employer who was away but agreed to meet and settle the matter without recourse to the legal system. The two parties met at Kituo offices and the employer agreed to settle the claim of Ksh. 44, 667 that was owed to Jackline to close the matter.

On 30th March, 2017 a beaming Jackline Achieng was at our offices to receive her dues in cash as she urged other domestic workers to follow up on their rights when infringed on.

In her words; Jackline said, “Kituo cha Sheria inasema ukweli!”

KITUO Undertakes PIL Training for Paralegals



Kituo took part in a Public Interest Litigation (PIL) Training Workshop for paralegals that took place at Masada Hotel in Naivasha from the 26th to 29th March 2017. This was in partnership with Kenyans for Peace Truth and Justice (KPTJ), ICJ-Kenya and the Legal Resources Foundation (LRF). 30 paralegals from different Counties in Kenya completed the training workshop which covered defining aspects of Public Interest Litigation, the role of paralegals in the context of PIL and the impact of paralegals in PIL. The workshop also assisted the paralegals with

assessing the potential of a PIL action, strategies for effective PIL work, case selection and preparation, building partnerships and networks and mapping new PIL Cases.

The training workshop was strategic in building the capacity of paralegals to enable them to understand the nature and scope of public interest litigation; disseminate the information to the public, and map out and refer public interest cases for review and possible litigation.

The role of paralegals in the public interest litigation support matrix cannot be gainsaid. Paralegals are often among the first public spirited individuals to come into contact with potential litigants as they traverse the community listening and resolving their disputes. With the enactment of the Legal Aid Act 2016, the roles of paralegals have become even more prominent. For the first time, the role of paralegals in promoting access to justice has been anchored in law.

KITUO conducts Legal aid activities in Mombasa



Kituo lawyer Valarie Ang'awa attending to a client during a free legal aid clinic in Likoni Mombasa County

Kituo cha Sheria joined other civil society organizations from the 13th to 17th March 2017 for joint legal aid activities in all sub counties in Mombasa County. The free legal aid clinics were conducted after an earlier fact-finding mission was carried out in February 2017 which involved establishing issues of challenge that require legal intervention.

The legal aid clinics were held in Nyali, Likoni, Jomvu, Kisauni, Changamwe and Mvita sub counties of Mombasa County.

Taking part in the activities were LawQuery, the Children's Department, Association of Professional Counselors, the University of Nairobi, Mombasa Law Society, Ombudsman, NALEP, CLEAR, and FIDA-Kenya. Also represented were the Judiciary, Probation Services Department, NSSF, IEBC, NHIF, EACC and

various government officers from the local administration.

The Clinics kicked off on 13th March 2017 at Kengeleni Stage in Nyali Sub County; 14th March at the ACK Guest House in Likoni Sub County; 15th March in Jomvu Sub County and the 16th March, 2017 at Frere Playground in Kisauni Sub County.

The 17th of March 2017 was the final day which saw residents receiving free legal advice at the Chief's office in Changamwe Sub County from the lawyers in attendance.

Kituo's coast regional office was able to receive 69 clients from the 5-day activities which saw our officers offer free legal aid and consultation to residents of Mombasa. The legal aid activities created great awareness on the functions and mandate of Kituo and our efforts in promoting access to justice and equity for all.

Strathmore University refugee law training



Participants at the refugee law training at Strathmore Law School

Kituo Cha Sheria's Forced Migration Programme, supported by UNHCR KENYA and the Refugee Consortium of Kenya (RCK) on the 16th March, 2017 conducted a public lecture at Strathmore Law School. The refugee law training session focused on challenges and gaps in Kenya's refugee law.

Topics discussed were on Refugee Law, the sources and principles of refugee law, forced migration and the typologies of forced migrants, Refugee Status Determination (RSD), refugee rights protection, among others.

Daniel Kahura (UNHCR-Kenya), Victor Ondieki (Kituo cha Sheria) and Lilian Obiye (RCK) led the lecture that attracted a total of 47 students.

SUCCESS STORY: Emmanuel O. Osewe



Kituo officer Jairo Sila handing over a cash payment to Emmanuel Odhiambo Osewe at Kituo head office

Emmanuel Odhiambo Osewe worked for Amicap Travelers as a driver for a period of nine years before the company laid him off.

The 39 years old and a father of two got his contract wrongly and unlawfully terminated after he inquired about his NHIF deduction. According to Osewe, his employer deducted NHIF, NSSF and SACCO from his salary but never reemitted.

"It came to my attention when I took my son for medication in one of the hospital in Kayole that I am not NHIF beneficiary after the medical officer who was attending to me told me that I have not been in compliance with the NHIF hence no NHIF cover for me and my family" Said Osewe.

This made Osewe to inquire about the happening, a step that made him lose his job on 16th of March 2016. Osewe was referred to Kituo by a friend he said had been ones assisted by Kituo advocates after the efforts he made to get an advocate were turned down due to high cost of the legal service.

After going through the screenings at Kituo, John Mwariri Kituo advocate did a demand letter instructing the employer to pay the employee all his terminal dues. In response to the letter Amica Travellers company agreed to settle the matter outside the courts. The parties negotiated and Amica Travellers agreed to pay a cash of Ksh.43,000 as compensation fee.

KITUO Conducts a Legal Aid Clinic and Volunteer advocates' recruitment drive in Narok County



A volunteer advocate attending to a resident during a legal aid clinic in Narok County

Kituo Cha Sheria on 2nd of March 2017 conducted a legal aid clinic in Narok town. Kituo's Legal Aid and Education Department officers together with Volunteer Advocates attended to a total of thirty eight clients who sought for legal assistance on land, labour and housing matters.

The legal aid clinic came a day after a public interest litigation caucus with the volunteer advocates in Narok town. The caucus was aimed at identifying public interest cases in the region and discussing co-operation with the volunteer advocates in filing the cases in Court.

Speaking during the public interest litigation caucus, John Mwariri, Kituo legal Officer urged the advocates to volunteer to join and support Kituo in

their course of serving the poor and marginalized.

Kituo noted that more often clients from far-flung areas of the country travel to our Nairobi offices seeking legal services. It is for this reason that Kituo sought to revamp and energize the Volunteer Advocates' scheme in Narok County in order to ensure better access to justice by residents in the county.

A total of ten advocates voluntarily agreed to serve the Narok county residents on legal matters. Kituo continues to engage and recruit volunteer advocates in almost all the 47 Counties in Kenya to assist the organization reach its clientele from these far-flung areas.