

## KITUO Hosts a 'Justice for All' Campaign Meeting in Nairobi



Ms. Faith Ochieng of Kituo Cha Sheria addresses participants during the breakfast meeting

On the 16th of October, 2018, Kituo Cha Sheria held a breakfast meeting under the theme: 'Access to Justice for All.' The meeting sought to address the issue of increasing funding to the justice sector and protection of grassroots justice defenders. The event was held at the Laico Regency Hotel, Nairobi and was part of the Justice-for-All global campaign.

The campaign seeks to deliver on certain global ambitions around peace, democracy, sustainable development and equality by advocating for funding and protection for grassroots justice defenders. Grassroots justice defenders empower communities to know, use, and shape the law - a process known as legal empowerment. Participants drawn from around the world- Ukraine, Myanmar, Indonesia, Tanzania and the United States joined their Kenyan colleagues working in the justice sector through NAMATI and the Global Legal Empowerment Network for the event.

NAMATI is building a global movement of grassroots legal advocates who help put the power of law in the hands of people. Kituo Cha Sheria played host to the event which had presentations from representatives of the National Legal Aid Service (NLAS), the Kenya National Commission on Human Rights (KNCHR), Kenya Law Reports Commission (KLR) and the National Coalition of Human Rights Defenders-Kenya (NCHRD-K). Also represented at the event were representatives from the Royal Dutch Embassy, the Embassy of Belgium, UNHCR-Kenya, National Gender and Equality Commission (NGEC), NAMATI, Kituo Cha Sheria and community paralegals.

In 2015, 193 countries agreed to make "access to justice for all" one of the goals for achieving sustainable development by 2030. Participants were in agreement that the work of grassroots justice defenders is at risk and if we want to achieve the justice for all ambitions of the Sustainable Development Goals, we must create an enabling environment for grassroots justice defenders to carry out their work.

Experiences shared during the meeting made it clear that the problems that paralegals face resonate with local practitioners across the globe and the solutions and conversations around these issues need to be solved at both levels to achieve justice for all. Advocates called on governments, justice sector partners and donors to protect and fund grassroots justice defenders who are working to advance access to justice. This marked a huge shift in global thinking. But, the work of justice defenders remains chronically underfunded, and the defenders themselves are increasingly at risk.



Mr. Francis Ndegwa an officer at the National Coalition of Human Rights Defenders-Kenya (NCHRD-K) addresses participants at the meet

## KITUO Hosts NAMATI Visitors



Michael Otto - NAMATI at Kituo Gardens talks to participants about the Global Legal Empowerment Network during the visit

Kituo hosted members of the Global Legal Empowerment Network at the Kituo Head Office, Nairobi on 16th October, 2018. The Network members under NAMATI were drawn from countries around the world- Ukraine, Myanmar, Indonesia, Tanzania and the United States. The legal learning exchange activity spearheaded by Kituo's legal aid and education department presented an opportunity to share knowledge and experience around legal empowerment, including methods, skills, and strategies, with other members. Kituo cha Sheria staff, community paralegals and clients served by Kituo were also in attendance. Kituo Cha Sheria is a founding member of the Global Legal Empowerment Network which brings together 1714 organizations and 6049 individuals, all dedicated to grassroots justice. The network is made up of lawyers and community paralegals, human rights activists and grassroots organizers, health advocates and educators, researchers, journalists and public servants.

## KITUO Hosts Visitors from Zambia and Malawi



Kituo Staff with the visiting Zambia and Malawi delegation

Kituo cha Sheria on 11th September 2018 hosted a delegation from the Zambia Paralegal Alliance Network (PAN) and Malawi Paralegal Advisory Service Institute (PASI) at the Head Office in Nairobi. The team was on a working tour of Kenya looking at best practises regarding the provision of legal aid services. In Kenya, the legal aid landscape is governed by the Legal Aid Act, 2016. Kituo remains a leader in the sector with over 45 years of experience serving the poor and marginalized. The team at Kituo Cha Sheria also took the opportunity to welcome back Kituo's Executive Director, Gertrude Angote who was away on leave.

## KITUO Conducts Handover ceremony for the AJS Project



Kituo AJS team after a meeting seeking to create linkages with Judiciary officials at the Kitale Law Courts

Kituo Cha Sheria on Thursday 25th October, 2018 conducted a successful handover ceremony for the Alternative Justice System (AJS) Baraza La Uwiano (Maridhiano), Nzoia Chapter. Kituo was handing over the project to the community to continue with the great work in promoting access to justice using alternative community based approaches.

Kituo Cha Sheria has been implementing the AJS project since 2015. Through the project, Kituo continues to lead conversations with survivors of the 2007-2008 Post Election Violence (PEV) across the regions that were heavily affected by the 2007-2008 PEV. The aim is to offer redress to crimes against property ownership and molding a safe platform of solving 2007/2008 PEV disputes arising between parties without recourse to the courts to achieve peace, justice and reconciliation amongst the communities. To date Kituo has conducted a series of workshops

in order to build the capacity of Commissioners (composed of PEV victims and offenders, village elders, women, youth, persons living with disabilities, religious leaders and community representatives). Adjudicators (respected community members who were selected through a consultative process by the community) have also been trained on the use of negotiation, mediation and non-violent Communication in Conflict Resolution.

After a successful piloting of the project, Kituo Cha Sheria has now handed over the AJS project to the community living in Uasin Gishu, Trans-Nzoia and Kisumu Counties. Kitale Law Courts Chief Magistrate Hon. Valentine Wandera and Kituo's AGM member Mr. Oketch Owiti attended the handover ceremony as chief guests. The Alternative Justice System (AJS) Nzoia Chapter is a project which has been spearheaded by a dedicated team of Kituo officers, Mr. Jack Odiwa and Ms. Martha Ogutu since its inception.

## KITUO Holds a Legal Aid Clinic in Changamwe, Mombasa County



Kituo legal officer Philip Musumia screens a client during the free legal aid clinic at Changamwe in Mombasa County

Kituo Cha Sheria through the Forced Migration Programme on 27th of September, 2018 conducted a free legal aid clinic at Changamwe in Mombasa County.

The legal aid clinic aimed at reaching a larger number of refugee populations based in the coastal region to educate them on County

by-laws to avoid unnecessary arrests by the county officials as well as sensitize them on the existence of opportunities to engage in legal business to gainful employment.

The legal aid clinic saw a total of 56 clients attended to and screened purposely to identifying vulnerable cases for further processing. The clients were also briefed on the importance of registration and lack of documentation which leads to arbitrary arrests and extortion from the police.

Kituo also discussed with the refugees about the diminished resettlement opportunities.

## Key Upcoming Activities Nov - Dec 2018

1. Kituo Cha Sheria end year legal aid clinic 10th December 2017
2. 16 Days of Activism activities - November 25th - 10th Dec
3. Community Paralegal training in Nairobi and Kisumu
4. M-Haki Regional conference on 'The Use of ICT in Making Access to Justice a Reality'- Dec
5. Imarisha Haki project trainings in Isiolo, Nairobi and Kwale- Nov-Dec
6. KICODI paralegal refresher training, radio talk show, legal aid clinic and documentation of successes-Nov
7. Meru prison paralegal refresher training, access to justice day celebrations and documentation of successes- Nov-Dec
8. Mobile legal aid clinics in 10 counties: Nyahururu, Kitale, Makuani, Kerugoya, Kitui, Isiolo, Narok, Kajiado, Nyeri, Busia- Nov-Dec
9. Nyeri prison paralegal refresher training, access to justice day celebration and documentation of successes - Nov-Dec
10. Court Users' Committee (CUC) meeting for Milimani, Makadara and Kibera Law Courts - Nov-Dec
11. Border monitoring in Taita-Taveta, Kilifi, Kwale and Mombasa counties - Nov-Dec
12. Legal Aid clinics with the Refugee Community in urban settlements - Nairobi and Mombasa - Nov-Dec
13. Police training on protection of Refugees and asylum seekers - Nov-Dec
14. International Human Rights Day; 16 Days of Activism Candle lit Dinner - Dec
15. Kituo Cha Sheria Annual General Meeting (AGM) - Dec
16. Kituo end of year meeting- Dec 2018

## KITUO Implements IMARISHA HAKI Project in Mombasa County



Community paralegals from the Kisauni Constituency Development Initiative (KICODI) following the training

Kituo Cha Sheria conducted a two-day refresher training for the Kisauni Constituency Development Initiative (KICODI) paralegals; a community based Initiative in Mombasa that is composed of CBOs, youth, women, people with special needs, religious organizations and leaders that Kituo has been working with since 2009 to reach its clientele at the grassroots level.

With new members joining the KICODI team and laws changing, Kituo has seen the need to conduct a refresher paralegal training for these groups of persons to equip them with the legal knowledge to enhance their capacity to offer basic legal support to the community as and when

the need arises. The training took place at Tudor Pastoral Center, Mombasa and saw a team of 30 paralegals trained on various topics including; Land and Environmental Law; Criminal (criminal procedure, plea bargaining ), Family law, Alternative Dispute Resolution Mechanisms; Labour Law; Succession and Bill of Rights.

The training also created a platform for engagement and interaction between experts in various disciplines, practitioners of the law and Human rights defenders hence foster greater participation of volunteer advocates in activities organized by Kituo Cha Sheria.

## Success Story of Rose Everlyne Tendwa

### NYANDO COMMUNITY JUSTICE CENTER

Bringing Legal Empowerment Closer to the People



Rose Everlyne Tendwa, 46 years old, resident of Homa-bay County approached Nyando Justice Centre seeking for legal assistance on family succession matter. Rose who is also a widow and a third wife to her late husband Michael George Tendwa explained to Judith Ochanda, a community paralegal based at Nyando Community Justice centre how her other two co-wives sidelined her on a family succession plot. According to Rose, her late husband had properties including land, commercial buildings and rental houses in Homa-bay town. After her husband's death they sat down as a family and agreed to do succession so that each household would have a share of the deceased property. Rose later noticed that despite the family agreements on the said matter, her step sons excluded the name of her daughter in the list of beneficiaries.

They went further and filed this matter in court. Rose made

several efforts to be served with the file to acquaint herself with the court proceedings but her efforts were thwarted.

Rose decided to visit our justice center after she got our contacts from a radio talk show on radio Ramogi F.M. (a vernacular local radio station where Kituo community paralegals frequently engage the community by educating and informing them on legal matters). Judith Ochanda wrote a letter to the Chief Magistrate Homa bay court requesting them to grant Rose access to the case files. They responded positively. Rose raised a complaint on the matter filled with the court and on 24th July 2018; the succession cause No. 5 of 2013 that was filed was cancelled by the court. The court further ordered that a fresh succession cause be done with all the names of the beneficiaries including Rose's daughter and the properties of the deceased be included.

## SUCCESS STORY - From Nyando Community Justice Centre

### NYANDO COMMUNITY JUSTICE CENTER

Bringing Legal Empowerment Closer to the People



Defamation case between Caren Onyango our client and Shadrack was successfully concluded through alternative dispute resolution. Caren reported that they had a land boundary dispute between her and Shadrack her neighbor who trespassed into her land destroying the boundary and when she went to ask him why he was interfering with the boundary; Shadrack started calling her names and hurling abuses at her in public. A demand letter was written to Shadrack to come for ADR in the office;

both came and the community paralegals at the centre had a lengthy talk and discussion with both of them. The paralegals managed to reconcile the two who later shook hands as sign of peace and reconciliation.

The paralegals further advised them to go to the lands office and get the services from the lands surveyor to verify the boundaries so that they would get the real picture of each person's boundary so that they cannot have future disputes between them.

## KITUO celebrates The International Day of Peace 2018



School children pose for a photo ahead of the peace walk to the Huruma Sports Grounds during commemoration of the International Day of Peace 2018

Kituo Cha Sheria joins in commemoration of International Day of Peace 2018. Kituo Cha Sheria on 21st September 2018 joined the world in commemoration of International Day of Peace 2018 held at the Huruma Sports Grounds. The celebration that began with a Peace Walk from the Kenya Air Force-Moi Base brought together members of the public, the Kenya Defense Forces, government representatives and peace actors, youth peace builder and talented youth entertainment groups conveying beautiful messages of peace to the public. Addressing the public during the Peace Day celebrations, Nairobi Regional Commissioner Kang'ethe Thuku, who graced the event, applauded the tremendous work done by Kituo, Sub-county Peace Committee teams and other peace actors. This work included ensuring that conflict is mitigated through all possible means. The Peace actors conduct extensive peace campaigns through rallies, peace walks, religious crusades, sports tournaments, Public Barazas among other forums.

"This day was all about peace especially after witnessing peace in the area during the 2017 general elections which has not been the case in the previous election period. We intend to mobilize the residents and authorities annually to promote peace in the area." he said

Kituo Community paralegals offered free legal aid clinic to members of the public during the ceremony. Kituo will continue to work with other like-minded organizations to help manage the public affairs at grassroots' level in matters of peace, dispute resolution, implementation of government policies and above all commit to Stand Up for Human rights.

The International Day of Peace, sometimes unofficially known as World Peace Day, is a United Nations sanctioned holiday observed annually on 21 September. It is dedicated to world peace, and specifically the absence of war and violence.



Participants during the Peace Day celebrations in Huruma, Nairobi

## KITUO Attends MISEREOR Urban Partners Meeting



Kituo legal officer John Mwariri makes a presentation on the New wave of forced evictions in Kenya and the tension between human rights and development at the workshop

Kituo cha Sheria officers on 18th October 2018, attended a workshop organized by Misereor in collaboration with partners in Kenya. The annual Urban Partners Meeting was held at the Ngong Hills Hotel, Nairobi under the theme “Re-thinking the housing agenda in Kenya: The role of Social Movements and Non state actors in redefining Social Housing”. Participants deliberated on the role of social movements and forging a strong housing coalition in the Big 4 Agenda in Kenya, strategies to combat new wave of forced evictions and the role of international financiers in housing projects in developing countries. Kituo led discussions on the new wave of forced evictions in Kenya and the tension between human rights and development. In this new wave of evictions, evictions

are taking place while there are ongoing court cases, evictions by individuals with no lawful authority and evictions are being strategically planned- timing with negotiations being used as bait. The balance between development and human rights has been difficult to get, with the debate whether evictions are a constitutional issue or a land issue-rules of evidence. In the recent past all the court judgments have been adverse and greatly watered down previous progressive jurisprudence on the right to housing. The Misereor Urban Partners meeting brought together members of the housing coalition including Kituo Cha Sheria, Hakijamii Trust, Kutoka Network, COPA Kenya and Pamoja Trust as well as community members from the grassroots in Kenya’s three major cities.

## KITUO Conducts Police Training in Mombasa County



Kituo legal officer Philip Musamia conducts the CUC training at the Pride Inn Hotel in Mombasa

Kituo Cha Sheria through the Forced Migration Programme conducted a two-day capacity building training for the law enforcement agencies based in Mombasa County on the refugee laws and protection.

The training that was conducted on 27th and 28th September 2018 at Pride Inn Hotel in Mombasa brought together government officers including Immigration

Officers from Mombasa Branch, police officers from various Police stations in Mombasa and prison officers from King’orani and Shimo La Tewa Prisons.

The officers were sensitized on matters relating to refugees and asylum seekers and how to handle this specific group of persons in their interactions in the public domain.

## KITUO Marks World Mental Health Day 2018



Kituo MHPSS staff with youth after the World Mental Health Day celebrations in Eastleigh, Nairobi

Kituo cha Sheria joined the world on the 10th of October 2018 to mark the World Mental Health Day 2018. Kituo Cha Sheria’s Forced Migration Programme (FMP) and partners from the Urban Refugee Mental Health and Psychosocial Support Services (MHPSS) Working Group met in Eastleigh, Nairobi together with 170 youth, Kenyans and Ethiopians, to celebrate that day.

This year’s theme “Youth and mental health in a changing world” is of great importance for Kenyans and refugees alike. In order to raise awareness among

the youth for mental health problems and services available, and with the aim of discussing existing issues jointly, several activities such as a skit, a soccer game, and a fashion run by refugee girls were done. World Mental Health Day is observed on 10 October every year, with the overall objective of raising awareness of mental health issues around the world and mobilizing efforts in support of mental health. The Day provides an opportunity for all stakeholders working on mental health issues to talk about their work, and what more needs to be done to make mental health care a reality for people worldwide.

## KITUO Conducts training for Refugee leaders in Mombasa and Malindi



A Refugee leader makes a point during the training workshop for refugee leaders from Mombasa and Malindi

Kituo Cha Sheria in conjunction with UNHCR-Kenya, Refugee Affairs Secretariat (RAS) and the IRC conducted a two-day training workshop for refugee leaders from Mombasa and Malindi. The training that took place on 29th and 30th October at Pride Inn hotel, Mombasa Town aimed at equipping the refugee leaders with aid mechanisms to address the refugees’ problems.

The training saw a total of 33 refugee leaders from Mombasa, Malindi, Ngomeni, Kilifi and

Magarini trained on how to go about their work; instructed on their duties and responsibilities as leaders, educated on the various agencies involved in refugee matters, refugee rights and duties. The training also provided a chance for the leaders to commit to the duties they will have been trained on and receive their badges as a sign of the said commitment. Also in attendance was the Assistant County Commissioner, Mombasa and Chiefs from Mombasa and Ngomeni.

## KITUO Trains Court Users Committee Members in Isiolo County



Kituo legal officer Maureen Elavisa, FMP takes participants through an exercise during the training in Isiolo

Kituo Cha Sheria through the Forced Migration Programme conducted a 2 days training session with Court Users Committee (CUC) members on the 31st October - 1st November, 2018 at Silver Bells Hotel, Isiolo. The CUC training attracted participants from major stakeholders in the management of refugees. They included the Kenya Police, DCI, ATPU, ODPP, County Commissioner's Office, Immigration, the Judiciary, Probation office and the Children's Department. They were enlightened on basic refugee law; legal framework, relevant refugee institutions/ organizations, registration

processes and documents for refugees. Participants also discussed challenges, solutions and made recommendations on improving the legal structures dealing with the refugee community in the country.

The CUC trainings are important as refugees and asylum seekers have constant interaction with Courts mainly on issues of unlawful presence within the country and residing outside designated areas.

The training was spearheaded by Kituo officers Maureen Elavisa and Ojuni Ochalla together with other partners in the refugee protection sector.

## KITUO participates in the Legal Awareness Week 2018



Kituo Advocate Valerie Ang'awa listens to a client at the Mombasa Law Courts during the awareness clinic

Kituo Cha Sheria through the Mombasa office participated in the annual LSK Legal Awareness Week from 24th to 28th September, 2018 under the theme: "Corruption: a crime against justice, democracy, development and prosperity".

The annual event organized by the Law Society of Kenya takes place in all major cities and towns across Kenya and comprises of various

activities geared towards promoting access to justice, advocating pro bono legal services and legal aid. Kituo advocates joined their colleagues in offering free legal advice to the public to extend legal literacy and awareness to members of the public. The forum also provides an opportunity for public engagement with lawyers. The event took place at the Mombasa Law Courts.

## KITUO Conducts a paralegal training and Legal Aid Clinic in Kisumu County



Community members who attended the legal aid clinic in Nyando, Kisumu County receive legal aid services from Kituo staff

Kituo Cha Sheria conducted a community paralegal training and legal aid clinic in Kisumu County from the 3rd September 2018 to 7th September 2018. The activities in Kisumu featured two days for the community paralegal training between 4th September 2018 to 5th September 2018 and two (2) mobile legal aid clinics between the 6th September 2018 and 7th September 2018.

The community paralegals training involved training a total of 15 community based paralegals from the Nyando Community Justice Center. The training was solely based on Human Rights, the Prevention of Torture Act and Countering Violent Extremism under the Imarisha Haki project supported by the European

Union (EU). During the legal aid clinics over 70 clients received free legal aid from Kituo advocates, community paralegals and volunteer advocates.

The overall objective of the Imarisha Haki project is to contribute in eradicating all forms of torture, ill treatment and violation of human rights within the criminal and juvenile justice systems in Kenya.



Clients get screened at the free legal aid clinic in Kisumu

## MHAKI "Haki Mkononi"



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