

KITUO HOLDS LEGAL AID AND AWARENESS FORA IN KAMUKUNJI, NAIROBI COUNTY



KITUO advocate Janet Machoka attends to clients during a legal aid clinic in Eastleigh, Nairobi

Kituo Cha Sheria in partnership with the Kamukunji Community Empowerment Justice Centre and the Kamukunji Sub-County Gender and Children offices held a three-day legal aid and awareness fora in Kamukunji, Nairobi County from 29th-31st July 2019. The activities which were held in three wards- Pumwani, Eastleigh North and Shauri Moyo were informed by the necessity to increase legal awareness among members of the community and also to inform them of their rights and responsibilities especially on Sexual and Gender-Based Violence and Extra-Judicial Executions.

This is because Kamukunji Sub-County has been experiencing an increase in crime and human rights violations due to the socio-economic, cultural and political meltdown in the area. Most cases such as labor, landlord/tenant conflicts, sexual and gender-based violence, and extrajudicial killings are rarely reported to the authorities and this has led to the cases becoming even more rampant.

The activities aimed at creating public awareness on the Bill of Rights, sensitize the community on access to justice as provided under the Legal Aid Act 2016, increase accountability among the law enforcement agencies and to increase public awareness of the M-Haki platform (SMS 0700777333). The activity also sought to provide free legal aid services and to get information on any possible Public Interest Litigation cases that

Kituo Cha Sheria may take on for further action.

The free legal aid clinics were spearheaded by Kituo advocates Ms. Martha Ogutu and Ms. Janet Machoka who led other volunteer advocates and paralegals from the Kamukunji Community Justice Centre. The lawyers provided free legal advice to around 200 clients who turned up with diverse legal problems with most cases revolving around issues to do with labor, Identification, and police harassment and clients were able to get appropriate legal directions.

KITUO conducts regular legal aid and awareness fora in different parts of the country intending to promote access to justice for the poor and marginalized members of the community in line with the core mandates and vision of a society of justice and equity for all.



A community paralegal during the free legal aid clinic in Shauri Moyo, Nairobi

KITUO Pays a Courtesy call to The Dutch Embassy



KITUO's Board of Directors joined by the Executive Director during the roundtable meeting with the Dutch Embassy in Nairobi

Kituo Cha Sheria on Wednesday- 14th August, 2019 paid a courtesy call to the Royal Netherlands Embassy in Nairobi. The round-table meeting presented an opportunity for Kituo to present a status update on the access to justice project supported by the Embassy and especially the innovative M-Haki SMS platform.

The Kituo team which comprised of Kituo's Board of Directors- [Mr. Munyithya Maitha (BoD Chair), Ms. Joy Asiema, Justice Onesmus Makau, Mr. Okech Awiti and Ms. Grace Akumu, the Acting Executive Director Dr. Annette Mbogoh and the AGCP Programme Manager Ms. Valarie Ang'awa met the Embassy team led by Ms. Martine van Hoogstraten, (Head of Trade & Development Cooperation) and Ms. Carolyne Abong, (Senior Policy Officer, Security & Rule of Law).

KITUO expressed appreciation to the support of the Dutch Embassy in our pursuit of the social transformation of indigent Kenyans through legal aid and empowerment, advocacy and lobbying for pro-poor policies.

MHAKI "Haki Mkononi"



SMS

LEGAL QUESTION TO
0700777333

GET A REPLY IN 48 HOURS





STANDARD SMS CHARGES APPLY

KITUO Conducts Court Users Committee Training in Nairobi County



Nairobi Court Users Committee members pose for a group photo during a training workshop at the Pride Inn Hotel in Nairobi

Kituo Cha Sheria through the Forced Migration Program (FMP) and supported by UNHCR-Kenya held a Training and Sensitization Workshop for Nairobi Court Users Committee (CUC) members. The training was conducted in collaboration with the Refugee Affairs Secretariat and the International Rescue Committee for three days from the 24th to 26th July, 2019 at the Pride Inn Hotel in Westlands, Nairobi.

To implement one of FMP's mandates in sensitizing and conducting training for stakeholders on refugee law and refugee protection in the urban area, FMP together with UNHCR-Kenya conducted the training and sensitization workshop with trainees constituted of officers who interact with refugees and asylum seekers in the courts on a day to day basis. The training on Refugee Law and Refugee Protection attracted 20 participants in an attempt to build the knowledge capacity of Court Users on how to handle forced migrants i.e. Refugees and Asylum Seekers.

The influx of urban-based refugees has led to interaction by refugees with officers in the legal system and court structures. A majority of these officers have a limited knowledge of refugee matters e.g. legal framework & registration processes, documentation, rights, and duties of refugees, etc. The knowledge gap affects their ability to adequately deal with refugees' needs and constrains them in terms of legal protection.

Participants were educated about the different types of forced migrants including asylum seekers, refugees, IDPs, returnees, stateless persons and economic migrants. They were also enlightened on the distinction between camp-based refugees and urban-based refugees and reasons for their existence/classification.

The CUC members expressed their gratitude to Kituo for organizing the workshop and requested that this be carried out with increased frequency. The training was spearheaded by Kituo officers Yunia Atieno and Ms. Charity Wangui.

KITUO attends Legal Empowerment Leadership Convening in Geneva



Kituo cha Sheria was represented at a Workshop on Legal Empowerment in Geneva by Ms. Clara Barasa from 1st-2nd July, 2019. She joined fellow advocates discussing global litigation issues on displacement at the Strategic Litigation Roundtable with UNHCR and the Swiss Federal Department of Foreign Affairs. Kituo attended UNHCR's Annual Consultations

with NGOs with a big goal: to foster dialogue and learning about the use of strategic litigation as a tool to alter refugee laws and policies, ultimately shaping policies that would enable them to access fundamental rights and obtain protection.

There was clear interest in the use of Courts and impact litigation to shape refugee protection, but few advocates have applied this approach within Africa, Asia and Latin America. As a tool for change, strategic litigation can expand rule of law and access to justice for refugees, by bringing compelling cases before the Court that will set new precedents and advance legal standards for refugees.

Key Upcoming Activities Sept - Oct 2019

1. Kituo's 46th Anniversary Celebration and Legal aid clinic- Sept
2. Alternative Justice Systems (AJS) project Adjudicators' training in Trans-Nzoia- Sept-Oct
3. M-Haki toolkit launch and access to justice and technology regional conference- Sept-Oct
4. Imarisha Haki project implementation in Naivasha, Siaya and Garissa-Sept-Oct
5. Legal Aid clinics with CJs in informal settlements - Sept-Oct
6. Kitui Community JC legal aid clinics, community outreach, radio talk show and documentation of successes- Sept-Oct
7. Turkana paralegal refresher training, radio talk show, legal aid clinics and documentation of successes Sept-Oct
8. Prison sector working group meetings in Nairobi- Sept-Oct
9. Client legal advice and representation and Legal advice to clients through the M-Haki platform- Sept-Oct
10. Legal Aid clinics with the Refugee Community in urban settlements in Nairobi and Mombasa- Sept-Oct
11. M-Haki Regional conference on 'The Use of ICT in Making Access to Justice a Reality'- Oct
12. Access to Justice Day events /Death Penalty Conference in Shimo La Tewa Men, Shimo La Tewa Women , Kamiti Maximum and Kodiaga Maximum prisons)- Sept-Oct
13. Law Society of Kenya Legal Awareness Week-Sept.
14. Border monitoring in Moyale, Taita-Taveta, Kilifi, Kwale and Mombasa counties - Sept-Oct
15. Police training on protection of Refugees and asylum seekers - Sept
16. Mental Health and Psychosocial Support (MHPSS) group sessions- Sept-Oct
17. UNDP Amkeni- Access to Justice Project implementation in Mombasa County- Sept-Oct

KITUO Trains Prison Officers in Kisumu and Kwale Counties



Kwale Prison officers during a training session on the Nelson Mandela Rules at the Kwale Prison

Kituo Cha Sheria with the support of the European Union and Kenya Prisons Services conducted a one-week refresher training for prison officers at the Kodiaga Maximum Prison and the Kwale Main Prison in Kisumu and Kwale counties respectively from 19th– 23rd August, 2019. The training at the Kwale was undertaken by the Mombasa Regional office with that in Kisumu being spearheaded by Ms. Jacqueline Jepchirchir from Kituo's Head Office.

The training centered on the Nelson Mandela Rules which are the universally acknowledged minimum standards for the treatment of prisoners. This was with the aim of equipping the Prison officers with the requisite knowledge required to perform prison work in

accordance with the principles underpinning prison work: the dignity and humanity of everyone in the prison, as well as human rights standards and principles of equality and non-discrimination as spelled out in the Nelson Mandela Rules and Human Rights agreements which Kenya is a signatory to.

The prison officers were taken through the principles of the Standard Minimum Rules in an activity that highlighted Kituo's commitment to promoting access to justice to the poor and marginalized. Kituo continues to train prison officers in different prison centers around the country with the view of providing the prison officers with the knowledge and understanding of how to deal with prisoners per the law and international agreements.

KITUO Holds Talk On Huduma Number Bill



KITUO's Zedekiah Adika (right) and a representative from HURIA during a radio talk show on the Huduma Number Bill at Boss FM

Kituo cha Sheria in collaboration with Human Rights Agenda (HURIA) were hosted at Boss FM-88.2FM- Mombasa for discussions on the proposed Huduma Namba Bill, 2019. The controversial bill seeks to hinge the provision of services by the State on the Huduma Namba.

The forum allowed HURIA and Kituo cha Sheria to sensitize communities on the Bill and also develop a memorandum based on views of the Coastal communities. On 1st August 2019, HURIA, the University of Nairobi-Mombasa Campus and Kituo Cha Sheria held a debate/ public forum at Komblenze Hall in Mombasa to sensitize Coastal communities on the contents of the proposed Huduma Namba Bill, 2019.

This followed a call for public participation by the Ministry of Interior and Coordination of National Government that all memorandums should be

submitted before 5th August, 2019. The forum was a Kituo advocacy program activity in Mombasa County spearheaded by program officer Zedekiah Adika.

The forum brought in different stakeholders across all six Sub Counties of Mombasa. The forum brought together different stakeholders across all six Sub Counties of Mombasa. Submissions on the Huduma Namba Bill, 2019 can be made to the Ministry of Interior and coordination of the National Government; at any Deputy County Commissioner's Office in any County or mail to; bill@hudumanamba.go.ke.

The Bill has far-reaching consequences that will affect members of the Public. Views obtained from participants in the activities in Mombasa were used to prepare a memorandum that was forwarded to state actors for consideration.

KITUO FMP Holds Yoga Training Session for Refugees



Members of the Refugees community during a yoga training session by Kituo's MHPSS in Ruiru, Kiambu County

Kituo Cha Sheria's Forced Migration Program held a yoga training session for refugees today in Ruiru, Kiambu County. The activity which was led by KITUO's psychological counselor Shem Alubala is part of FMP's core aims of promoting mental health and psychological well-being for refugees and asylum seekers.

Yoga helps in relaxation and stress management and also brings

together physical and mental disciplines to achieve a peaceful body and mind. It also helps in increasing flexibility, muscle strength and body tone.

KITUO is part of the Urban Refugee Mental Health and Psychological Support Services working group which was created in 2016 to improve coordination and referral between implementing refugee organizations in Nairobi.

KITUO Celebrates Access to Justice Day at Kodiaga Prison in Kisumu County



Participants pose for a group photo during the Access to Justice Day celebrations at the Kodiaga Maximum Prison in Kisumu

Kituo cha Sheria on Friday, 30th August, 2019 joined the Kisumu Maximum Prison – Kodiaga Prison Justice Center to commemorate the Access to Justice Day. Access to justice exists when the public can understand, use and afford information and services to prevent and resolve their legal problems and achieve just outcomes without delay. This and the realization that lack of access to justice is injustice made Kituo commemorate the Day. The day was not only a celebration but also meant to empower the prisoners to access justice with emphasis on fundamental human rights, legal representation, and judicial procedures.

Kituo's paralegals led participants in an array of activities which included tree planting, song, dance and poetry with the central activity being a moot court skit meant to aid the prisoners in learning about bail and bond, community service order, legal representation and the judicial procedures.

In attendance were Kituo's Board member Dr. Okech Owiti, AGCP program manager Valarie Ang'awa and Nyando community justice center paralegals Frank Opande and Judith Ochanda. Others present were: a Representative of the Officer-in-Charge (OIC) of Kisumu Maximum Prison, Mr. Patrick Kariba, Kodiaga Prison human rights officer, Mr. Charles Yambo, Hon. Julius K. Ng'arng' ar, the Chief Magistrate-Kisumu, Ms. Akoth Lina, Magistrates Peter Onyango and Maxwell Bagada, Volunteer Advocates in Kisumu and Mr. Joseph Maiyeka from the Probation Office Kisumu

Central. The ODPP's office in Kisumu was represented by Stephen Ogeto and Christopher Kinyua.

The day was set aside to ensure that Justice is not only accessible to the prisoners but that it is also realized at the prisons. The guests interacted with inmates as well as listened to the challenges they face while lodging appeals against their cases. The Kodiaga Prison Justice Center and other prison centers have immensely contributed to the decongestion of prisons and made justice more accessible to those who cannot afford the services of an advocate. 30 prison paralegals were trained in Kodiaga in 2015 and only 14 remain at the prison justice center currently. This is partly a testament to the work done by the prison paralegals who have lodged 154 petitions of appeal to various high courts in the western region over the last year.

The Center has registered 24 acquittals in High Courts, 15 acquittals in the Kisumu Court of Appeal, 21 reduction of sentences and 32 remanded self-represented prisoners whose cases were managed by paralegals were released.

While giving the keynote address Dr. Okech Owiti expressed Kituo's satisfaction in seeing prisoners being able to self-represent and having access to justice within the prison- "the palace of correction". "Over 10,000 people have been released on appeal directly from the work of prison paralegals countrywide, you just need to know the facts of your case and prepare thoroughly", he said. He also expressed Kituo's gratitude to the Royal Dutch Embassy for their support .

KITUO Conducts Paralegal Training in Kitui County



Kituo's Advocacy Governance & Community Partnerships Program Ms. Valerie Ang'awa presents a certificate to a community paralegal at the end of the refresher training in Kitui County

Kituo Cha Sheria conducted refresher training for 20 community paralegals in Kitui County. The activity which took place at the PCEA Church in Kitui town; going on for 5 days, brought together community legal volunteers and human rights defenders from the Kitui Community Justice Centre in Kitui. Day 1 of the training covered introduction to paralegalism including qualities and skills of a community paralegal and Sexual and Gender-Based Violence. The training was conducted by program officers from Kituo, volunteer advocates and other partners took place from the 15th to 19th July, 2019.

The Kitui Community Justice Centre paralegals were also taken through Alternative Dispute Resolution methods in Kenya i.e. Mediation, Negotiation, Arbitration and Conciliation. ADR and Traditional

Dispute Resolution Methods (TDRM) processes contribute to enhanced access to justice by all, and in particular among the poor people; enhanced access to justice also strengthens the rule of law. Another session undertaken was on land and environmental law with participants being taken through the new land laws, types of ownership inland, and an overview of the National Land Commission. Discussions were also on the Environment and Land Court and the procedures therein. The graduating community paralegals were presented with certificates during a ceremony officiated by the Advocacy, Governance and Community Partnerships program coordinator Valarie Ang'awa. The trained paralegals and Volunteer Advocates based in Kitui town later conducted a FREE legal aid clinic for members of the public in Kitui.

KITUO Hosts Uganda Law Reform Commission (ULRC)



Kituo team led by the Executive Director Dr. Annette Mbogoh pose for a photo after a meeting with the Uganda Law Reform Commission team in Nairobi

Kituo Cha Sheria held a consultative meeting with the Uganda Law Reform Commission (ULRC) on 23rd August 2019 at the Kituo Head Office. The ULRC was seeking KITUO's recommendations for the purpose of amending their Uganda Railways Act of 1992.

The meeting was attended by 4 members of the ULRC while Kituo's Executive Director Dr. Annette Mbogoh led her team comprising of 2 members of the Legal Aid Department and the

RCKM manager. Several provisions were discussed during the meeting including Public participation, the redress mechanisms, governance, adequate compensation, enactment of eviction guidelines among others.

Kituo promised to share materials with the ULRC including the Evictions and Resettlement Procedures Bill, the Land Laws Amendment Act 2016 and the decision in the Muthurwa Right to Housing case for further engagement.

KITUO Conducts Training of Prison Officers in Siaya County



Kituo advocate Ephraim Kayere (in checked shirt) with Siaya Prison officers after the training

Kituo Cha Sheria successfully conducted a five-day training of Prison Officers at the Siaya Men's Prisons, Siaya County from 29th July – 2nd August 2019. The project which is supported by the European Union was spearheaded by KITUO advocate Ephraim Kayere and saw a total of 25 prison officers trained on the United Nations Standard Minimum Rules (UNSMR), criminal laws, torture laws and Human Rights among other prisons related aspects.

The United Nations Standard Minimum Rules are a set of standards relating to treatment in detention, and are the key framework used by monitoring and inspection mechanisms in assessing the treatment of prisoners. Among the areas addressed during the training include; the respect for prisoners' inherent dignity, disciplinary measures, and sanctions, protection of vulnerable groups, access to legal representation among other principles.

With most prisons historically being associated with violation of human rights, the comprehensive training of the prison officers was important in equipping them with the

knowledge, skills and attitude to perform their duties well and with respect for the rights and dignity of all prisoners.

The activity also aimed at contributing to the eradication of all forms of torture, ill-treatment and violations of human rights within the criminal and juvenile systems in Kenya through increasing the knowledge on Human Rights, criminal law and criminal justice.

Kituo conducts regular trainings of prison officers as paralegals in different prison facilities around the country with the view of increasing their capacity in dealing with prisoners in a manner that is just and lawful.

This is in line with Kituo's core mandate of promoting access to justice to the poor and marginalized in society.



Kituo advocate Ephraim Kayere (in checked shirt) with Siaya Prison officers during the training

KITUO Trains Alternative Justice Systems Commissioners and Adjudicators on Mediation



Kituo's Roy Kiarie during a training of Alternative Justice System commissioners and Adjudicators in Trans-Nzoia County

Kituo Cha Sheria with the support of the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) conducted a 4-day training on mediation as a form of Alternative Justice Systems for AJS Commissioners and Adjudicators in Trans Nzoia County. The training which began on Monday 19th August 2019 took place at the Catholic Diocese-St. Immaculate Parish in Kitale ended on 22nd August 2019.

The activity was spearheaded by Kituo advocates Valerie Angawa and Roy Kiarie together with Jolly Kathambi from GIZ who trained the participants on mediation which is an Alternative Dispute Resolution (ADR) process in which a neutral third party, called a mediator, meets with the disputing parties in an attempt to help them reach an agreement that ends their conflict. The victims and offenders mediate and come to an agreement that is acceptable to all the parties

in a process that also involves the community.

The process is in line with Article 159 (2) (c) of the Constitution of Kenya which recognizes mediation and encourages it as a form of dispute resolution to be applied in pursuit of justice. Mediation is intended to enhance access to justice for all and ensure speedy resolution of disputes while also creating an atmosphere of accommodation and tolerance and restore pre-dispute relationships.

This activity was a continuation of a refresher training program for Alternative Justice Systems Commissioners and Adjudicators to ensure efficiency of the Trans Nzoia AJS mechanism especially in settling post-election violence disputes and also empower the poor and the marginalized to access justice and realize human rights which is in line with KITUO's core mandates.

KITUO Holds a Self-Care Session for its staff



Kituo Cha Sheria through the Mental Health and Psychological Support Services (MHPSS) which is under the Forced Migration Programme held a self-care session for Kituo's FMP and Head Office staff on 30th August 2019 at the Oak Place Hotel & Conference Center. The activity

allowed KITUO staff to take some time off work in order to focus on their own psychological well-being.

The staff participated in an array of activities led by MHPSS officers Ms. Corazon and Mr. Alubala that included a yoga session which are important in providing emotional and physical care. This is a regular activity conducted by MHPSS which offers support to KITUO staff to ensure that they are psychologically and emotionally healthy to effectively perform their duties owing to the nature of work done by Kituo.

KITUO Conducts Alternative Justice System Training in Trans Nzoia County



Participants during a refresher training on Alternative Justice Systems in Kitale, Trans-Nzoia County

Kituo Cha Sheria conducted a five-day refresher training for Alternative Justice Systems (AJS) Commissioners and Adjudicators in Trans Nzoia County from 29th July-2nd August 2019. The activity which was supported by GIZ took place at the Catholic Diocese Hall-St. Immaculate Parish, Kitale and was spearheaded by Kituo Advocates Roy Kiarie and Valerie Angawa.

The activity aimed to promote access to justice for the community in Trans Nzoia through a holistic approach of the AJS mechanism which is a locally molded safe platform of settling the 2007/2008 PEV disputes without recourse to the courts. The methods used in the AJS processes include mediation, negotiation, and reconciliation. Through AJS; the disputing parties are brought together to dialogue and agree voluntarily to forge a way forward.

The Commissioners who are composed of PEV victims and offenders, village elders, members of the community, religious leaders and community representatives work to create awareness

on the AJS mechanism in the community and take statements of the parties during the AJS processes and also work on a complimentary basis with the Adjudicators who are neither victims nor offenders of the 2007/2008 PEV, to facilitate the dialogue or negotiations between the disputing parties during AJS hearings and document agreements.

Both the Commissioners and Adjudicators were offered paralegal training on land, property, and succession laws to empower them in promoting reconciliation in the community by settling more PEV related and community disputes.

The refresher training was important in bridging the knowledge gaps exposed during previous hearings and making the Commissioners and Adjudicators more efficient, effective and tactical in settling community disputes in line with KITUO'S core mandate of promoting access to justice to the poor and marginalized in the community.

PRISON ACCESS TO JUSTICE DAY

Promoting Access to Justice for the poor and Marginalized

