



KITUO CHA SHERIA

LEGAL ADVICE CENTRE

we care for justice

ANNUAL REPORT

2022



LIST OF ACRONYMS

ACC	Advocates Complaints Commission	JLAC	Justice and Legal Affairs Committee
ACE-AJ	African Centre for Excellence for Access to Justice	LAED	Legal Aid and Education Programme
AGCP	Advocacy Governance and Community Partnership Programme	LAF	Legal Aid Forum
AJS	Alternative Justice System	LSK	Law Society of Kenya
AJWS	American Jewish World Service	NaSCI	National Steering Committee for the Implementation of Alternative Justice System
BOD	Board of Directors	NCKK	National Council of Churches of Kenya
BOT	Board of Trustees	NGO	Non-Governmental Organization
CLE	Council of Legal Education	NLSA	National Legal Services Authority
COS	Civil Society Organization	NTSA	National Transport and Safety Authority
CRRF	Comprehensive Refugee Response Forum	MHPSS	Mental Health and Psychosocial Support Services
CUC	Court Users Committees	OSF	Open Society Foundations
DCJ	Deputy Chief Justice	PEV	Post Election Violence
ELOG	Elections Observation Group	PFA	Psychological First Aid
FGD	Focus Group Discussion	POC	Person of Concern
FMP	Forced Migration Programme	PSK	Paralegal Society of Kenya
GA	General Assembly	PWD	Persons with Disability
GIZ	Deutsche Gesellschaft für Internationale Zusammenarbeit	RCKM	Research Communication and Knowledge Management
HIAS	Hebrew Immigrant Aid Society	RLO	Refugee-led Organization
ICT	Information Communication Technology	UNDP	United Nations Development Programme
IEC	Information Education and Communication	UNHCR	United Nations High Commission for Refugees
IDRC	International Development Research Centre		

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FROM THE BOARD CHAIR



**JUSTUS
MUNYITHYA**

On behalf of the Board of Directors, I wish to take this opportunity to acknowledge the tireless efforts exhibited by the entire KITUO fraternity in working towards achieving the Kituo's vision. This year there was tremendous progress experienced in Kituo despite the general slow progress in the County due to the general election.

KITUO's governance structure is composed of the General Assembly (GA), the Board of Directors (BOD), Board of Trustees (BOT) and the Secretariat. The General Assembly meets annually to among other things, review the overall performance of the organization and receive the auditor's report. The BOD meets quarterly to receive programme and management reports from the Secretariat. The term of the current BOD comes to an end in 2023. I would like to thank all the Members of the three organs, GA, BOD and Secretariat for committing their time to serve KITUO and also remaining faithful to our vision and mission.

The GA is the highest organ in the Governance structure at Kituo Cha Sheria. The Assembly plays a pivotal role in making critical decisions about Kituo and considers the annual financial reports tabled by the Board and also addresses the matter of external auditors for the next financial year. The Assembly comprises of members drawn from across the Country.

The BOD has been on course in audit and accountability of all the resources of KITUO, by ensuring that all management letter recommendations by auditors are followed with an action plan and compliance.

KITUO wishes to take this opportunity to thank its development partners notably, MISEREOR, GIZ, Netherlands Embassy, AJWS, UNDP-Amkeni, Mott Foundation, Namati, OSF, Danish Institute for Human Rights, Global Greengrants, Henrich Boll foundation, Norwegial Refugee Council, Austrian Embassy, and International Development Research Centre among others for providing financial and technical assistance towards the implementation of our various programmes. We also extend our gratitude and appreciation to the Government of Kenya for providing a conducive environment for our operations and for the collaborations that KITUO has enjoyed through the various Ministries and agencies.

During the year KITUO signed three MOUs one with Riara University (Law school) that aimed to strengthen the joint cooperation towards promoting access to justice and students' mentorship. The second with the Sports Disputes Tribunal that is aimed at enabling access to justice in the sports sector through initiating public interest litigation cases and self-representation for indigent clients in the Tribunal and the third with the Commission on Administrative Justice (Ombudsman Kenya). This formalizes KITUOS's intention to collaborate with Commission on Administrative Justice on promoting access to justice to particularly poor and indigent Kenyans.

Finally, KITUO would like to laud the efforts of all the stakeholders who remain committed to the vision of access to justice for all.

FROM THE EXECUTIVE DIRECTOR



**DR. ANNETTE
MBOGOH**

With 2022 being an election year in Kenya, there was heightened political activities across the country. The actual election happened in the month of August thereafter the results were rejected by the opposition and an election petition was filed in the Supreme Court. This had the effect of slowing down Kituo's planned activities since during this period the Country was literally at a standstill.

However, despite these challenges we are pleased to report that KITUO continued to experience growth. On 31st January 2022 Kituo conducted an Inception Workshop at Heron Portico Hotel in Nairobi, to kick-off a three years research project that will evaluate the impact of legal empowerment programming, the use of technology within the justice sector during the COVID-19 pandemic and formalization of paralegals through recognition, training, financing and accreditation. The project is funded by the International Development Research Centre (IDRC).

With support from MISEREOR, Kituo convened a Public Interest Regional colloquium with leading legal empowerment organizations in the East, Horn and Southern Africa region on the 7th and 8th of March 2022 to discuss and review the role of people driven Justice in Africa. The discussions were structured in the form of panel and plenary discussions highlighting the state and development of people-driven justice within the country, experience-sharing from other African jurisdictions and diverse actors within the access to justice chain.

Kituo also participated in the 9th Freedom from Slavery Forum in Marrakech, Morocco organized by Free the Slaves. This is a global forum and the theme was "Revitalizing the Anti-Modern Slavery Movement: Enabling Local Responses and Coordinating Global Solutions." The Forum brought together a wide range of leaders including survivors of modern-day slavery, NGO executives, government representatives, academics, UN agency representatives and the corporate sector

Kituo was honoured with the coveted Fr. Kaiser Human Rights Award during a colourful LSK Annual Awards - 2022 held on 25th of March, 2022 at the Safari Park Hotel, Nairobi. The award is named in honour of the late Father John Anthony Kaiser; a Roman Catholic priest who died in August 2000 and was touted as a study in courage, determination and sacrifice on behalf of the weak, oppressed and downtrodden.

KITUO received support from a number of partners among them MISEREOR, GIZ, Netherlands Embassy, AJWS, UNDP-Amkeni, Mott Foundation, Namati, OSF, Danish Institute for Human Rights, Global Greengrants, Henrich Boll foundation, Norwegian Refugee Council, Austrian Embassy, and International Development Research Centre (IDRC).

I wish to express my gratitude to the secretariat for working so hard and diligently to realize our vision and mission. Special thanks go to the Board of Directors led by the Chairperson Mr. Justus Muniyithya, for continuing to offer the necessary support and strategic directions to the organization.

Going forward, we reiterate our commitment to professionally and zealously advance our vision and mission and defending the rights of the indigent and the marginalized.

ABOUT KITUO CHA SHERIA

INTRODUCTION

Kituo Cha Sheria Kituo Cha Sheria (hereinafter referred to as “KITUO”) is the oldest human rights organisation in Kenya, East, Central and the Horn of Africa. It was established in 1973 to promote access to justice for the poor and marginalised communities. KITUO uses direct legal services, public interest litigation, advocacy and paralegalism as strategies for legal empowerment.

In 2020, the General Assembly adopted the 2020-2024 Strategic Plan whose theme is, “Realising Sustainable Development: Strengthening Access to Justice and Promoting Human Rights!” The successes of KITUO are reported as against the objectives of the 2020-2024 Plan with specific focus on 2022. The 2020-2024 Strategic Plan has the following strategic objectives:

- 1) Strengthen and ensure the implementation of quality programs and services that promote and protect the rights of the poor and marginalised.
- 2) Build evidence grounded in research to inform better policies and practices on access to justice and human rights.
- 3) Strengthen the voices of the poor and marginalised to represent themselves in accessing justice to realise and enjoy their rights.
- 4) Advocate to ensure that the rights of the poor and marginalised are recognized and realised in all relevant legal frameworks leading to the promotion of law

On the other hand, the enabling objectives are:

1. Strengthen KITUO’s brand and reputation as a leading national and regional organisation that advocates for access to justice and rights for the poor and marginalised.
2. Strengthen governance and management to best support KITUO to achieve its objectives.
3. Strengthen human resources capacity to best support KITUO to achieve its objectives.

VISION

“A society of equity and justice for all”

MISSION

“To empower the poor and marginalized people to effectively access justice and enjoy their peoples and human rights in Kenya through advocacy, networking, lobbying, legal aid education and representation and research”.

CORE VALUES

- Respect for human rights;
- Commitment to justice and equity for all;
- Solidarity with pro-poor individuals and agencies;
- Courage in promoting social transformation and empowerment of the poor and marginalized;
- Service through volunteerism;
- Transparency, reliability and accountability in its relations with its stakeholders;
- Obligation to upholding the rule of law; and
- Professionalism;

MOTTO

‘We Care for Justice’

2022 OVERVIEW

KITUO RESULTS IN NUMBERS

7,104 Total number of Clients (new & return) received and offered legal advice and support at the Head Office in Nairobi and Mombasa

636 Number of clients given legal advice through Legal Aid Clinics

1,373 Number of query SMS received through M-Haki Platform

2,923 Total number of walk-in new clients seen in the Nairobi and Mombasa office

910 Number of refugees and asylum seekers received and given legal advice

14 Total number of new Public Interest Litigation cases filed in Court

200 Number of paralegals from existing justice centres who underwent refresher training

125 Number of clients supported to use Court E-filing system

17 Total number of Counties where Kituo deployed election observers

84 Total number of Cases resolved using Alternative Justice Systems (AJS) in Uasin Ngishu and Trans Nzoia counties

129 Total number of in-depth interviews with paralegals and beneficiaries during our IDRC research project

20 Total number of refugee clients who received individual counseling

269 Total number of Focus Group Discussions with paralegals and beneficiaries during our IDRC research project

11 Total Number of Counties where Radio Talk shows were conducted

50 Total number of state officials who received training on Refugee rights

LEGAL AID AND EDUCATION



From left, Mr. Justus Muniithya, KITUO BoD Chairperson, Prof. Robert Gateru, VC Riara Law School, Dr. Annette Mbogoh Kituo ED and DR. Victor Lando exchange the signed MOU



Paralegals from Turkana, Kituo's Volunteer advocates and Kituo Staff attending to clients during the legal aid clinic.

The Legal Aid and Education Programme (LAED) continued its direct legal services and provided ICT support to indigent clients needing to access the e-filing platform of the Judiciary. Also, the annual work plan required the Programme to file at least four (4) public interest cases on justice issues.

- In the year 2022, LAED received 1289 new clients and 3425 return clients. Out of the 4714 clients attended to at the head office 2498 were male, 2216 were female, disability 623 clients, total court attendance 573 clients. There was an increment in the number of clients attended to in 2022 as compared to 2021 i.e. from 852 to 1289, an additional 437 clients. 573 court attendances undertaken to ensure access to justice of indigent clients. The number of court attendances in 2021 were 358.
- 4714 individual clients screened and advised at the clinic (1289 new clients and 3425 return clients) mainly in the areas of employment and land
- 14 public interest litigation cases filed and being prosecuted in court addressing questions of access to justice and technology, the case on impact of climate change on the residence of Baringo county, the case highlights plight of the integrated displaced persons who were neither resettled nor adequately compensated, the case on the alleged violation of human rights in the middle East for immigrant domestic and other workers, the case on the police brutality on innocent civilians under the pretexts of enforcement of curfew measures, and the case that seeks the recognition of paralegals as essential service providers among others.
- 10 public interest litigation being prosecuted in court
- 352 clients reached through legal aid clinics held in different counties in the country
- 125 self-representing clients supported to use the e-filing platform

Over 5 public interest litigation on rights violations were filed and some were still in progress.

LEGAL AID AND EDUCATION



Members of Prison Sector Working Group together with Kituo staff during the engagement meeting held at the Best Western-Meridian Hotel Nairobi



Advocate Tracy Wachira (Left) Kituo Volunteer Advocate Joshua Odiambo Nyamori (Middle) and Jamia Abdulrahim, paralegal (right) chatting after the Kibos Community case determination

Iten ELC Const. Petition No. 007 of 2022 Kituo Cha Sheria & Anor –vs- Attorney General and others

The case touches on the impact of climate change on the residents of Baringo County. The case is brought by the Njemps and Tugen communities who are aggrieved by the state inaction in mitigation and compensation of the adverse effects of climate change in their county. The case is the first of its kind to hold the State accountable for climate change mitigation and full implementation of the Climate Change Act.

The case is novel as it is the first of its kind in Kenya trying to address the effect of climate change and its impact on communities.

The case has a mention on the 18th April 2023.

Nyabururu HCCC Const. Pet. No. 043 of 2022 Kituo Cha Sheria & Another –vs- Attorney General and Another

During the 2007 post- election violence, approximately 1133 people were killed and 3561 people were injured. In addition, 117,216 private properties and 491 Government-owned properties were destroyed. Finally, approximately 350,000 persons were displaced from their homes and or businesses.

This public interest case highlights the plight of integrated displaced persons who were neither resettled nor adequately compensated.

The achievement of the case is that we have been able to ensure access to justice for those displaced persons.

The case has a mention on the 29th March 2023.

Nairobi HCCC Const. Pet. No. 254 of 2022 John Ng'ang'a Muigai and others –vs- Attorney General

The case is based on the various aired and documented reports by international and Kenyan media on alleged violation of human rights for immigrant domestic and other workers in the Middle East Countries which include Bahrain, Bangladesh, Belarus, Iraq, Jordan, Kuwait, Lebanon, Oman, Qatar, Saudi Arabia and United Arab Emirates among others.

LEGAL AID AND EDUCATION



John Mwariri coordinator legal aid department making a presentation during the stakeholders engagement



Kituo's Legal Aid team together with the representatives from paralegal society of Kenya pose for a group photo after an engagement meeting

The importance of the case is to highlight and seek redress for families and victims of human violations in the middle east. The current status is that the case has a mention on the 27th February 2023.

Nairobi HCCC Constitutional Pet. No. E 275 of 2020 Legal Advice Centre T/A Kituo Cha Sheria & Others –vs- Inspector General of the Police & Others- Police brutality case

Following the detection of the first case of the COVID- 19, the government came up with a raft of measures in a bid to stem the spread of the pandemic. The police department meted acts of violence and brutality on innocent civilians under the pretext of enforcement of curfew measures. In the course of the project, KITUO filed a public interest case to hold the Kenya Police Service accountable for the acts of violence. The case seeks state compensation from survivors and affected families.

The case is important as it helps victims of police use of un-proportionate force access justice. The case has a mention on the 14th February 2023.

Nairobi HCCC Const. Pet. No. E177 of 2021 Kituo Cha Sheria, Michael Odhiambo and Another –vs- Attorney General

Paralegals play a critical role in access to justice in Kenya. Following the restrictions introduced in March 2021, their work was being gravely affected as they were not gazetted as essential service providers. It is for this reason that KITUO filed the petition seeking that paralegals are declared essential service providers and hence exempted from the restrictions to curb the spread of COVID- 19 disease.

The case is important as it seeks the recognition of paralegals and their work. The case has a mention on the 12th April 2023.

Nairobi HCCC Const. Petition No. 104 of 2019 Legal Advice Centre T/A Kituo Cha Sheria & Others –vs- A.G – Garissa terrorist attack case

Our clients are parents of the victims of the brutal killing of students at the

LEGAL AID AND EDUCATION



Kibos Nubian Community members together with Kituo staff and Volunteer advocates at the Milimani Court Kisumu



Kituo' paralegals and staff pose for a photo with presenters of Radio Nam Lolwe after a successful radio talk-show in Kisumu

Garissa University College on the 2nd April 2015 in a terrorist attack. The parents are aggrieved by the fact that the state did not take adequate steps to prevent the attack. The clients also argue that had the state responded promptly, the impact of the terrorist attack would have been minimised.

The case is important as it helps victims and their families access justice. The case has a mention date on the 25th May 2023.

Thika ELC Const. Pet No. 11 of 2018 Peter Kimanyi and 326 Others –vs- A.G- Kilimambogo Squatters Case

This is a housing case. The case seeks the determination of whether the Petitioners have a right to housing, whether they were accorded reasonable participation, whether they have right to property and on the right to information. We represent about 1200 families comprising squatters.

The status of the case is that we have a hearing date on the 8th May 2023.

Nairobi HCCC Consti. Petition No. 184 of 2020 Kituo Cha Sheria & 2 Others V Attorney General (Marsabit cancer cases)

This is a case of the high prevalence of cancer within the marginalised communities of Marsabit County. The case is based on the fact that in the 1980s the state may have been complacent about the dumping of hazardous waste from a multinational oil company. The Petitioners seek compensation from the government for being complacent when the dumping was taking place.

This case is important as it seeks environmental justice for the marginalised communities in Northern Kenya. The matter had a mention on the 1st February 2023.

Nairobi Court of Appeal Civil Appeal No. E 291 of 2021 The Honourable Attorney General V David Ndii & Others

This case touched on whether the amendments to our Constitution should take place. KITUO's argument was that the essential features of the Constitution

LEGAL AID AND EDUCATION



Kituo Staff and Health rights advocates in Nairobi pose for a photo shortly after a stakeholders meeting



From right: Mr. Jared Nyakundi, an officer at Kituo Cha Sheria, Mr Boniface Muinde, Legal Officer at Kituo Cha Sheria, Ms Mary Ciambaka, Ms. Damaris Ndusia Musiemi, Kituo's Volunteer advocate and Mr. John Munene, Mary's younger brother at Chuka law court

forming the Basic Structure can only be altered or modified by the people of Kenya using their sovereign primary constituent power and not merely through a referendum.

The Attorney General appealed to the Supreme Court. The Supreme Court delivered a decision that was a win-win for the opposing sides. In so far as our position was concerned, the intended constitutional reforms were confirmed to have been in contravention of the Constitution. On the other hand, the Attorney-General's argument that the basic structure doctrine was applicable in Kenya was confirmed by the Supreme Court.

As a result of this outcome, KITUO has lodged a matter before the East African Court of Justice to compel the regional court to find that the basic structure doctrine is applicable in Kenya even though not expressly laid out in the Constitution.

Kisumu ELC Const. Pet. No. 1 of 2020 Fatuma Khamis Bilal and 3500 Others -vs- the Attorney General

This case concerns the eviction of the community in Kibos, Kisumu County by Kenya Railways, a state corporation citing that the residents live in railway reserve. Kituo Cha Sheria is the 1st Interested Party in the case. The court found that the evictions were unlawful. As a result, over 3000 vulnerable families regained possession of their properties. The Kenya Railways filed an appeal that is pending hearing and determination.

Arusha EACJ Ref No. 14 of 2020 Isaac E.N Okero & Others -vs- The Attorney General of the Republic of Uganda (being sued on behalf of the Republic of Uganda) & others

The case revolves around more than 32, 000 Kenyans on the shores of Lake Victoria who have been rendered homeless due to flooding. The flooding is caused by the release of water from a power station in Uganda.

KITUO has filed an application to be joined as amicus curiae in order to

LEGAL AID AND EDUCATION



Kituo' volunteer advocates attending to clients during a legal aid clinic at the Head Office



Participants following the proceedings at the Civil Society Forum for the Africities 9 Summit that was held in Kisumu County

contribute to state party actions in relation to the environment and fundamental human rights and freedoms in the East African region generally and the effect to the communities.

The case seeks to ensure access to justice for the community affected by the rising waters. The case has a ruling date on the 24th February 2023.

1998 US bombing attack cases in Nairobi

This is a case of access to justice for over 400 survivors of the 1998 US bomb blast attack that took place 22 years ago. The survivors approached KITUO after unsuccessfully pursuing justice from different institutions. An estimated 200 Kenyan civilians were killed and 4,000 people were injured by the blast in the vicinity of the Embassy.

This case is a success as the victims have been able to access justice after 22 years.

The case has a mention on the 22nd May 2023.

Machakos Environment and Land Court Case No. 14 of 2021 James Muthusi & 750 Others -vs- The County Government of Machakos

The case touches on 751 squatters of Kasitu Settlement Scheme. The said squatters have been occupying land as squatters from the year 1974. They made several attempts to be allocated the land they occupy but to no avail. The squatters were under the threat of eviction from their mud houses hence our intervention.

This case is a huge success as we have been able to obtain protection from eviction of the squatters. The case had a mention on the 7th February 2023.

FORCED MIGRATION



Mr Shem Abulaba conducting training for paralegals of refugee community and refugee led organizations at Waridi Hotel Nairobi



Kituo's FMP staff and stakeholders pose for a group photo after presenting a Memorandum on durable solutions for refugees in Kenya to the National Assembly Departmental Committee on Administration and National Security

The Forced Migration Program (FMP) is committed to enhancing the participation of refugees in matters relating to integration and access to justice.

For the period January to December 2022, the Forced Migration Programme achieved the following:

- 1,132 refugees and asylum seekers were given legal advice. In the year 2021 the Programme reached 910 attendees.
- 19 Persons of Concerns received legal representation in court both Nairobi and out of Nairobi stations.
- 2 interactive radio talk shows were conducted both from Nairobi and Mombasa on refugee legal and protection topics.
- 6 capacity building forums were conducted; 3 in Nairobi and 3 in Mombasa
- 2-days forum on Advocacy was conducted on CRRF (Comprehensive Refugee Response Forum)
- 1 Public Interest Litigation case was filed on Refugee ID and limitation on access to services there related
- 180 people attended FGDs in Mombasa and Nairobi where the refugee community was able to highlight issues and synergies that affect their mental health, wellbeing and cohesion.
- 150 people including refugees, members of the host community and the community leaders in Mombasa and Nairobi engaged in open dialogues in their communities on their needs, rights and obligations.
- 210 people attended sensitization forums in Mombasa and Nairobi and learnt new government directives, mental health issues, refugee protection and other emerging issues in the project implementation areas.
- 25 government officials trained in Mombasa and 25 county officials trained in Nairobi on refugee mental health, refugee protection and ACT 2021 information which translated into their knowledge on understanding the refugee lives therefore their perceptions of refugees and enhancing service delivery to refugees in Mombasa and Nairobi.
- 100 refugees in Mombasa and Nairobi received training in PFA, basic

FORCED MIGRATION



Paralegals of refugee community and refugee led organizations pose for a photo with their certificates upon successful completion of the training



High Court Judge, John Chigiti facilitating a session on Intersex refugee children during our engagement meeting with stakeholders including government officials, civil society and refugee led organizations.

counselling, refugee protection and are able to use this information to serve the communities they live in.

- 20 clients received individual counselling at the Pangani FMP offices and through the telephone, 20 clients from Amharic and Yemen community received group support therapy at the Pangani FMP offices, All Clients with trauma-related disorders reported a decrease in their level of distress and improvement in daily functioning after the session,

In line with Kituos Strategic Objective 1 – Strengthen and ensure the implementation of quality programs and services that promote and protect the rights of the poor and marginalised.

The programme has continued to collaborate with major partners on referrals to access services. Among them was the Department of Refugee Services which managed to refer 167 POCs to General Mathenge Joint Refugee Service centre for emergency services. These included cases on protection, collection of Refugee IDs, Renewal of expired IDs and Referrals for exemption for residing away from camp on security and medical grounds.

In the same year a petition was filed being Nairobi HCCC Constitutional Petition No. 434 of 2022. This case is aimed at addressing the current limitation of use of Refugee ID on access to public and private services. This matter lists among other respondents the National Transport and Safety Authority (NTSA), Registration of Business Services, Ministry of Lands, Communication Authority of Kenya and Central bank of Kenya in quest to have the limitation of accessing services in these institutions and others removed. Refugee ID as it is now, cannot access services in these institutions. The matter came up for mention on January 27th 2023 and will be highlighted for submissions on 14 March 2023.

The programme conducted research in line with Strategic Objective 2 – Build evidence grounded in research to inform better policies and practices on access to justice and human rights. The research was on local integration and especially the aspect of permanent residence and Citizenship. This research was conducted in 6 locations; Kakuma (20 POCs), Dadaab (20 POCs),

FORCED MIGRATION



Kituo Cha Sheria staffs together with the members of the Global Strategic Litigation Council convening at Nairobi University



Group photo of the takeholders including government officials, civil society and refugee led organizations

Mombasa (20 POCs), Nairobi (50 POCs), Eldoret (40 POCs) and Nakuru (40 POCs). This research was qualitative to assess the Refugee community interest for acquisition and application of work permits, permanent residence and citizenship in Kenya. Since then the research report has been validated and Launched in April 2023.

The programme has also invested in Refugee led Organizations in line with Kituos Strategic Objective 3 – Strengthen the voices of the poor and marginalised to represent themselves in accessing justice to realise and enjoy their rights. This was done by empowering their registration and capacity building them even to the capacity of being Justice centres and thus acting as legal advice centres for their fellow refugees. This has happened in Nairobi and Dadaab Refugee Camp where 2 justice centres have been officially set. In this exercise five-day training of paralegals have been conducted to its members in each camp encompassing 25 members each. This comes with monthly financial support, printers, laptops and subgrants to the main justice centres being Youth Voices Community in Nairobi and Dadaab Response Association in Dadaab Refugee Camp.

In the same gear 60 participants from different RLOs were also trained and capacity built to strengthen them on governance, bookkeeping, Refugee Act 2021 and on the importance of the Comprehensive Refugee Response Framework (CRRF) as adopted in Kenya towards integration. Kituo has been conducting Advocacy on integration also with local community, stakeholders, government officials, partners and civil society. In the forum the importance of CRRF was discussed and recommendations developed.

In the same year 2022, Kituo with support of GIZ/CPS was able to print 6000 copies of IEC materials on MHPSS information; PFA information and at least 3000 copies were distributed through Kituos partner organisations and refugee led organization-Relon, the partner organisation were HIAS, JRS, NCKK, UNHCR, HESED among others.

ADVOCACY, GOVERNANCE AND COMMUNITY PARTNERSHIPS



Kituo's Executive Director Dr. Annette Mbogoh (Middle), Jamiah Abdulrahim, Community paralegal (left) and other partners during a procession at Kibera grounds to launch 16 Days of activism against SGBV.



Hon. Justice (Prof) Joel Ngugi, the Chair, NaSCI-AJS [Front row - 4R] together with Kituo's AJS practitioners from Trans Nzoia, Kisumu, Uasin Gishu, Mombasa, and Nairobi during 1st AJS summit at Tangaza University, Nairobi. Also in the photo are our development partners from GIZ-CPS, Matthias Neef and Jolly Kathambi [Front row - 2L], Kituo's BoD Chair Justus Munyithia [Front row - 3R], and Dr. Annette Mbogoh, Kituo's Executive Director [yellow blazer]

The Advocacy, Governance and Community Partnerships Programme (AGCP) coordinates community outreach and advocacy initiatives by connecting people with the law and instruments of justice. AGCP ensures the involvement of the poor and marginalized in the promotion of good governance, formulation of enactment of pro-poor policies and laws that are in tandem with international standards, and therefore enhances the realization of access to justice for all.

KITUO's AGCP program seeks to empower the poor and marginalised communities on their human rights and to create avenues for effective access to justice towards achieving the organisation's overall objective. All the activities are implemented in line with the Strategic Plan 2020-2024.

During the reporting period, the program implemented activities under the Dutch Embassy and GIZ/CPS grants which supported two projects:

i) Promoting access to justice for the poor and marginalised

This project aimed to promote access to justice for the poor and marginalized communities through the provision of legal aid via the MHAKEI SMS platform, conducting legal aid clinics, supporting community and prison-based paralegals through capacity building, outreaches, advocacy for pro-poor policies and public interest litigation.

ii) Addressing election violence and conflict prevention through AJS in Trans Nzoia and Uasin Gishu counties

This project sought to increase peace efforts around the country to prevent election-related violence through AJS and improve efficiency of electoral violence early warning and prevention.

In conflict-sensitive areas, formal justice systems need to work alongside informal justice systems to manage conflict as well as to ensure its transformation. Provocative pre-election campaigning may exacerbate tensions between different social groups and in particular raise anxieties among vulnerable groups. The project sought to advocate for peace at the community level using communication mechanisms such as community-based radio stations, which have wide community listenership including amongst the vulnerable groups, and to bridge language barriers; and other platforms such as theatre and community

ADVOCACY, GOVERNANCE AND COMMUNITY PARTNERSHIPS



From left, Br. Dr. Jonas Yawovi Director Institute of Social Transformation Tangaza University, Dr. Annette Mbogob, Executive Director Kituo Cha Sheria and Dr. Steve Onuma, Vice Chairperson National Steering Committee on Implementation of AJS policy leading a panel discussion on AJS as a tool for social transformation justice and societal discourse



Paralegals from Turkana Justice Centre and Kituo staff pose for a photo after colorful graduation on 30th April 2022

dialogues.

It acknowledges the role of AJS in conflict management as an important measure for preventing electoral violence. The capacity of different non-state and State actors to engage effectively in the prevention and mitigation of election-related violence may be contingent on their understanding of the legal and operational aspects of electoral processes, human rights, and gender equity.

Through this project, Kituo Cha Sheria aimed at conducting outreach activities, advocacy, training, and sensitization to promote peaceful co-existence. Additionally, the project advocated for using AJS to resolve disputes peacefully and promote forgiveness and reconciliation. In summary:-

1. The Mhaki platform received; 357 questions on labour rights, 387 questions on land rights and succession, 327 questions on Housing and evictions, 89 questions on forced migration and refugee rights and 213 general legal inquiries.
2. 30 volunteer advocates underwent mentorship and capacity building
3. The programme conducted Radio talk shows in Mombasa, Nairobi, Kisumu, Kitui, Nakuru, Vihiga, Kisii and Taita Taveta.
4. Monthly monitoring of justice centres in Turkana, Nyando, Vihiga, Kisii, Nakuru, Kitui, Taita Taveta, Kamukunji, Kibera, Korogocho and Lamukani Community justice centres. There were also monthly monitoring visits in Eldoret, Kitale, Kakamega, Kodhiaga, Naivasha and Manyani prison justice centres.
5. 75 paralegals underwent refresher training and Training of Trainers for new community justice centres in Taita Taveta, Nakuru and Kisii.
6. 200 paralegals underwent refresher training and training for trainers for the existing community justice centres in Kwale, Lamukani, Turkana, Kitui, Kisumu, Kamukunji, Kibera and Korogocho.
7. Legal aid clinics were conducted in Kwale, Nairobi, Vihiga, Kisumu, Kisii, Nakuru, Kitui, Taita Taveta and Turkana.
8. 165 Election monitors were trained on election monitoring and deployed to various counties across the country.
9. Annual paralegal learning forum

ADVOCACY, GOVERNANCE AND COMMUNITY PARTNERSHIPS



Paralegals from Nakuru community justice centre pose for a photo with their identification badges and reflectors after training from KITUO ready to undertake the election observation process



Paralegals from Turkana, Kituo's Volunteer advocates and Kituo Staff attending to a client during the legal aid clinic

10. Training of 30 adjudicators and commissioners in Uasin Gishu and Trans Nzoia counties on basic law, AJS, Election monitoring and conflict prevention and monitoring human rights abuses during elections.
11. 100 community members participated in community dialogue and peace walk in Uasin Gishu and Trans Nzoia
12. 2 cases were successfully resolved through AJS
13. 2 AJS justice centres launched in Uasin Gishu and Trans Nzoia counties.
14. Consultative meeting NaSCI-AJS where 20 participants were sensitised on the operationalization of AJS county action plan.
15. Radio talk shows in Uasin Gishu and Trans Nzoia on the use and practice of AJS to resolve disputes.
16. 40 participants attended Court Users Committee meetings in Uasin Gishu and Trans Nzoia counties.
17. 50 participants attended the AJS end of project review meeting

MHAKI

On Mhaki, most questions on land are about land inheritance and land grabbing whereas the majority of questions on labour and housing and eviction revolve around claims about unfair termination, failure by the employer to pay the employee and tenant and landlord issues respectively. During the reporting period questions were relayed onto the M-Haki platform from different regions of Kenya. The regions that recorded a high number of questions are Nairobi, Turkana, Mombasa, Vihiga, Kisumu and Kitui counties among others like Kilifi, Marakwet, Thika, Narok, Kisumu, Migori, Eldoret, and Homa Bay.

TRAININGS

There were paralegals' refresher training that took place in the new community justice centres in Taita Taveta, Nakuru and Kisii. Seventy-five paralegals were trained on paralegalism, human rights, criminal law and procedure, sexual and

ADVOCACY, GOVERNANCE AND COMMUNITY PARTNERSHIPS



Inmates from Kitale Main prison receiving paralegal training from Kituo



Valarie Anga'wa Coordinator Advocacy Governance and Community Partnership giving her presentation during the AJS Symposium held at the Starbucks Hotel, Eldoret

gender-based violence, land law, succession, labour law, alternative dispute resolution and mental health and psychosocial support.

The refresher training was also conducted in the existing community justice centres that sought to empower community paralegals to enhance access to justice and to empower community members. This is done by training on fundamental human rights, paralegalism, the role of paralegals, client interview, labour law, land law, alternative dispute resolution, gender-based – violence, small claims court, criminal law, self-representation and court procedures. 200 paralegals in Kwale, Vihiga, Turkana, Kitui, Kisumu, Kamukunji, Kibera and Korogocho received the training.

ELECTION MONITORING

In August 2022, KITUO trained 165 election monitors who were deployed to various counties across the country from 5th-11th August. The monitors covered both the electoral process within the communities and prison facilities. The election monitors were deployed to monitor; security deployment, inclusivity of all stakeholders, gender composition of the polls officials, adherence to the poll timelines, and transparency of the whole process. KITUO's election observers were deployed to the following 13 prison facilities; Nyeri Maximum, Kisii Main, Shimo La Tewa, Lang'ata Women, Kitale, Naivasha Medium, Manyani, Kodiaga, Kamiti, Kakamega, Meru and Eldoret.

As for monitoring within other counties, KITUO deployed as follows: Kilifi, Kwale, Mombasa, Taita Taveta, Homa Bay, Makueni, Siaya, Kitui, Nairobi, Nakuru, Vihiga, Kisumu, Kisii, Uasin Gishu, Trans Nzoia, Wajir and Turkana.

AJS PROJECT

There were community dialogues conducted on 3rd and 4th August 2022 in

ADVOCACY, GOVERNANCE AND COMMUNITY PARTNERSHIPS



Kituo Team together with Langata paralegal pose for a photo with their certificates after their graduation ceremony held at Langata prison Nairobi



Kituo team handing over administrative support material including a laptop, Printer, tonners, printing papers, and other stationeries to Kisumu Maximum Security Prison

Trans Nzoia and Uasin Gishu Counties respectively. The objectives of this activity include; to sensitise community members on Article 10 and chapter six of the Constitution of Kenya on leadership and integrity, to advocate for resilience and diversity within communities, to sensitise community members on the use of AJS to resolve disputes and to promote peaceful co-existence within communities through sensitization on prevention of conflict and peaceful conflict resolution. Fifty community members per county attended the community dialogues and participated in the peace walks. There were 29 men and 21 women in Trans Nzoia and 26 men and 24 women in Uasin Gishu. They include; county government officials, chiefs, religious leaders, community-based organisations, community members from Saboti, Endebess and Cherengany, and adjudicators and commissioners. Participants identified causes of conflict in Trans Nzoia and Uasin Gishu. These include; land boundary disputes and succession and ethnic divisions which are protracted during election periods. The adjudicators and commissioners sensitised participants on the use of AJS to resolve conflicts. The community dialogues were followed by peace walks in each of the counties. KITUO also include advocacy through theatre to sensitise community members on AJS and to promote peace during and after the election

MOMBASA REGIONAL OFFICE



Kituo team together with the members of the Mombasa law society during the Greening justice workshop



Kituo' Mombasa staff and paralegals during community engagement meeting in Mombasa

The Mombasa regional office The Programme planned to implement activities under its projects funded by the GIZ-Civil Peace Service, AJWS and UNDP Amkeni. In the year 2022, the Programme conducted activities including Advocacy for PWDs, Celebrating International Days, Legal Caucus, Lobbying on Death Penalty, Election support, convening the Civil Society Network, crafting guidelines for the CSOs, Legal Aid and Legal Education, Visit to Justice centres, fact finding on the historical land injustices, Radio Talk shows, Convening CUCs. Over the time, we held 10 media engagements. The program also reached out to 1634 persons directly.

The achievements were as follows:

- 756 clients attended to by the legal aid department, new clients being 232 and 524 were return clients. These clients received legal advice and representation on land, refugees, employment, succession, landlord and tenant, children matters and criminal issues
- The AGCP department had 86 running files. In the year 2022, 33 of them were active in court. 14 cases were cleared in court. KITUO won 11 of the 14 cases.
- A proper working relationship with government offices was established including the office of the County Commissioner, the Judiciary, the NLAS and Prison Services.
- 60 election observers mainly from CSOs trained by ELOG
- Advocated for PWDs with other CSOs at Bima towers to showcase how the government offices buildings hinder PWDs from accessing services. A petition was submitted to office of the Governor, County Assembly and at the office of the County Commissioner through the ACC.
- Celebrated International Days like Anti- corruption day celebrations, Human Rights celebrations and International Health

MOMBASA REGIONAL OFFICE



Zedekiah Adika, Programmes Officer leading paralegals training in Marereni, Kilifi County



Kituo's program officer Zedekiah Adika leading the activists in Mombasa during Human Rights Day celebrations

Day

- A stakeholders engagement at Panari Hotel with representatives of JLAC and other CSOs was held on 10th November, 2022 to lobby for abolishment of mandatory death penalty in Kenya. The Members of the JLAC Committee indicated that they would prioritize the process.
- A meeting was held at Tudor Pastoral to take stock of what we had done, the gaps and opportunities that we could explore going forward. The areas considered were the banning of the death squad by National Government and the police reforms. We also agreed on a security trends study to be conducted in Mombasa County.
- Paralegal training was conducted in Marereni on building Alternative Justice System skills, advocacy
- 50 persons comprising of ACCs, Chiefs and their assistants were trained on the course on succession law in Siaya
- Legal aid clinics were conducted in different throughout the year reaching out to 284 community members.
- The situation room for the civil society documented the election related information that was received from the ground. The room also acted as a rapid response where reinforcement was needed it shared information with other bodies for immediate response.
- Documentation of Malindi rights forum and Kubuka farmers on the impact of the salt mining activities on the community's livelihoods were done by Citizen television.
- Paralegals were trained on the process of registering as a paralegal and also sensitized on human rights based approach to actions
- 16 paralegals were trained on mediation techniques by the Mediation Training Institute

MOMBASA REGIONAL OFFICE



Members of the Civil Society Network during the procession to present a petition to Mombasa County Government on persons with disability



Zedekiah Adika, programme Officer, Kituo Cha Sheria, during the radio talk show at Baraka FM, Mombasa

- Moot court sessions were held at University of Nairobi. They brought together 100 participants in the two sessions. The focus was criminal law procedure.
- 10 media engagements were held including radio talk shows and TV programmes
- Stakeholder engagement on the status of implementation of Legal Aid Act in Kenya. There were 50 participants including CSOs from all over the country; NLAS, CLE and paralegals.
- Conducted Quarterly visits to Justice centres.

On public interest litigation, the Department conducted a number of fact finding mission including update meetings with communities involved in public interest litigation. The fact finding missions conducted include:

- In the year 2022 Kituo was approached by members of the community residing in lake jipe settlement scheme in Taveta sub county. They had been sued by their former member of Parliament who had sought orders of injunction against the dealings over the entire suit land that had been allocated to the community and titles issued. Some of the social amenities sitting on the disputed land include AIC Makutano church and schools.
- The former member of Parliament had sued over 40 members of the community claiming ownership of the suit land. The community confirmed their titles via search certificates already issued by the ministry of land. The complainant insists that he is still the registered owner of the suit land and titles issued ought to be cancelled.

MOMBASA REGIONAL OFFICE



Coast Civil Society Network for human rights members conducting their meeting



Participants following the proceedings during stakeholders' engagement forum in Mombasa

- A follow up meeting the office held consultative meetings with the committee that is tasked with follow up and updates of the matter. It also became clear that the complaint has filed two (2) other related matters but against some of the community members over the same subject matter and over the same suit land.

Successful Court Outcomes

Mombasa Petition No 432 of 2015. Kii Kasala & Another Vs Basil Criticos & Another

This is land dispute that was brought to the office by one of the leaders of Taveta paralegals over the suit land that is situate in Taveta sub county. The Respondent had taken a loan from AFC and had failed to service the said loan. He however settled the dispute via a consent which allowed him to sub divide and sale the suit land to recover the loan facility.

The challenge is that the Petitioners were already in occupation and were unable to purchase. This sale by the Respondent would in effect expose the Petitioners to possible evictions and unending land disputes between the new purchasers with titles and the persons in actual occupation on the suit property.

After filing of suit, the same was negotiated at the behest of the Respondent who acknowledged that some of the petitioners were his former employees who had been terminated without payment of final dues. It was agreed that the Petitioners are recognized by the Respondent and that they by consent would be permitted to continue occupation.

Mombasa ELRC No. 415 of 2020 Jane Matheka & Others Vs SOS Children Village

This was an employment dispute that had been referred to the office by a judicial officer. The claimant were all members of staff at SOS school Nyali. The board of management without notice while blaming COVID sent all teaching and non teaching staff for unpaid leave that was indefinite.

The office had a meeting at the schools hall with all the claimants who claim that their rights to fair labor practice were being violated, the clients included the head

MOMBASA REGIONAL OFFICE



Abdulswamad Shariff Nassir Governor Mombasa County addressing the Civil Society Network for human Rights Group at Bima Building in Mombasa County

of the school who was equally affected. They told the office that they had loans that were paid through a check off system that now was becoming impossible service.

That contrary to the allegations that the school had no money, money for the school had been budgeted for and sent from donors in advance and before COVID. That some of the teachers and staff could not be sent on an indefinite unpaid leave since that was unfair. We moved court and the witness was able to get a favorable judgment. The Respondent was directed to pay employment dues pending and owing.

Mombasa ELC No 91 of 2020 Catherine Aluvisia Vs Spina Bifida Hydrocephalus

The Defendant is a charitable entity defendant on donor funding. The community members run a facility in Likoni where they cater for the needs of children that suffer from Spina Bifida these are children with an abnormal large head. They are physically disable children coming from as far as Tanzania for medical support and advise.

The first meet was convened by the area member parliament. After deliberations it was agreed we get in touch with the commissioner at the national land commission to identity the geniuses of the complainants documents. After much deliberations, parties agreed to settle this dispute by way of an out of court settlement. It was agreed that the Defendant conducts a survey and hives out the portion occupied and buy the same while leaving the other portion onf lnd vacate.

Kilifi CMCC No. 37 of 2020 Jumbo Steel Mills Vs Zainabu Ali c& Others

We were invited by members of Kongoloni community for a site visit. We went to the site where we meet about seventy (70) of the community members. They had with them a copy of an eviction order that was eminent. Upon looking at the court file, it appears that the original defendants signed a consent whose effect was to evict all the Defendants. The Plaintiff and Defendants were buyer and vendor, the suit was a sham aimed at evicting the interested parties who were occupants of the suit land.

On the suit land we were able to see graves and evidence that the community had been in occupation for many years. The community also confirmed that they were unaware of the existing suit only for the Police to bring it to their knowledge. The court allowed our clients to participate in the proceedings as defendants while setting aside the order of eviction earlier issued.

Mombasa Civil Appeal No 11 of 2020. Mary Odhimabo Dosio Vs National Land Commission

Our client was a widow whose property in Watamu which belonged to her late husband was taken away and allocated to another person. The national land commission purported to have conducted a hearing before cancelling our clients allocation and handing it to another individual. Aggrieved the client through a Nairobi law firm filed for judicial review. The matter was heard and dismissed. We took up the matter on appeal. After hearing the appeal the court of appeal in Mombasa allowed the appeal but directed that the suit be canvassed afresh before another environment and land court judge in Malindi.

MOMBASA REGIONAL OFFICE



Kituo team together with the representatives from Kenya National Assembly, office of the AG, DPP, KLRC and members of the civil society during engagement of state actors on mandatory, death penalty, supreme court direction

Mombasa ELC No 194 of 2020 Saulo Odhiambo & Others Vs Mvita Oils Limited

Acting on a complaint and invitation and referral from Kenya national human rights commission. The department visit the site where the complainants were complaining of air, noise and water pollution by Mvia Oils limited which is an edible oils and soap making plant. Where the defendant denied liability upon the matter being referred to mediation, parties although they failed on fully settle the matter. They agreed and by consent recorded wanted NEMA to visit the suit property and conduct an inspection and remit its report in court.

Voi MELC No. 39 of 2021 Chrispus Mwangogo –vs- Holiness Kiwoi

Our client who is the Defendant is a widow whose late husband had left behind a prime piece of land in Manga Voi sub county Taita/Taveta County. Our client was sued for fraud in acquiring the suit land that was still registered in the names of her late husband. The suit was heard and determined in favour of our client. The court dismissed the entire suit with costs to our client.

Msa ELC 309 of 2014 Deborah Hannah Wachengo Vs Vindo Multipurpose

Our client was a member of the Defendant which is a land buying company in Voi sub county. The client was allocated a parcel of land as a member and began developing the said plot of land only for her to discover that the said plot had a title deed issued in favour of another individual. The suit was initially filed in Voi but later transferred to Mombasa.

Although the Defendant told the court that the allocation of the suit land to another person was due to changes in mapping and survey and cannot be attributed to them, whereas both the Plaintiff and 1st Defendant were their members it was not their wish to have one plot allocated to another. The suit was heard and determined in favour of the client. The court cancelled the 1st Defendants title deed and re issued it in favour of the Plaintiff.

Mwarome Jumbale & 12 Others –vs- Ahmed Mohamed Abdulahi Civil Application No E012 of 2022

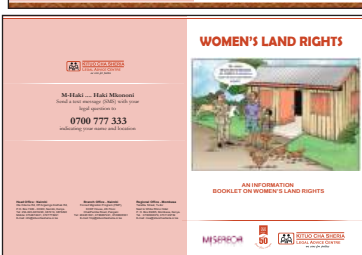
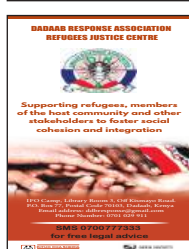
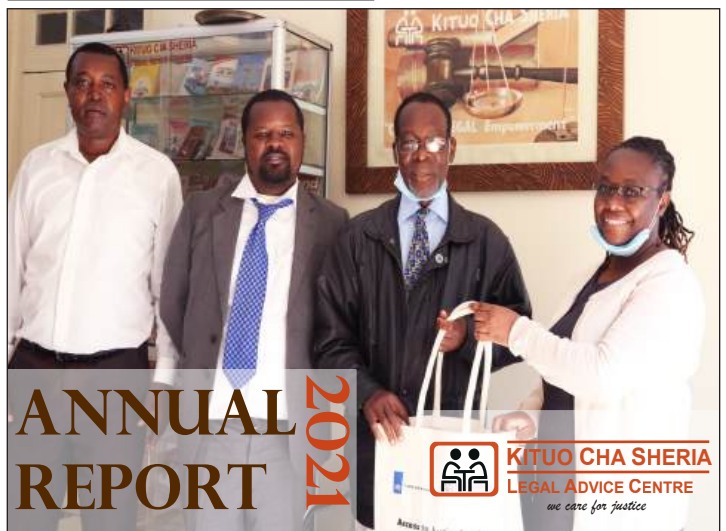
After the Malindi ELC court had order that our clients be evicted from the suit land. We moved to the court of appeal where we were successful in obtaining orders barring the eviction of the appellants pending hearing and determination of the Appeal. Although the matter had been set for case conferencing. The respondent has indicated that they are filing an application to strike out the entire appeal. Case management directions however have since issue.

Susan Manani Vs Grace Miti 139 of 2020

The client was employed by the Respondent as a house help for more than six (6) years before she was terminated. Upon filing of the suit. The court referred the matter to mediation. The Respondent opted not to participate in the mediation but instead engaged the claimant through the office and the matter was negotiated and settlement reached where the client was paid handsome sum of money for her service and labor.

The programme participated in the Legal Awareness Week organised by the Mombasa Law Society in the 2022. The awareness week gave more visibility for Kituo cha Sheria including an opportunity to advocates who wished to register in the volunteer advocates' scheme.

RESEARCH, COMMUNICATION AND KNOWLEDGE MANAGEMENT



The Research Communication and Knowledge Management (RCKM) programme is a support programme designed to offer technical support to the core programmes. Its objectives are raising public awareness on KITUO'S thematic areas by documenting Kituo's work and undertaking Information Education and Communication (IEC) materials, enhancing the visibility and profile of Kituo as a premier CSO in its core areas by constantly highlighting its successes and sharing the same to the public, creating an enabling and friendly ICT infrastructure environment with the necessary complimentary assets and empowering and enabling staff to undertake interdisciplinary research to address key issues.

The programme was responsible for covering Kituo's events and activities by documenting using text, photos and videos thereafter sharing the same to the public. This we achieved through use of social media (Facebook, Twitter, and YouTube) and Website and Haki blog, Publications of e-Newsletters, fliers, pamphlets etc. RCKM staff performed their usual support functions including; software updates for staff systems including Kaspersky Anti-Virus license renewal; regular Kituo Website update including posting Kituo vacancy announcements; communication through social media monitoring and responses-Kituo Facebook and Twitter accounts (daily).

This report sets out the activities/tasks undertaken by the RCKM between the months of Jan to Dec 2022.

The activities covered in this period include: Kituo Cha Sheria's, March, June, and September 2022 e-Newsletters. Blog posts on Haki Blog automatically reflect on Twitter together with other Kituo activities communication.

RCKM produced two success story videos. The stories increased the visibility of Kituo cha Sheria projects. The reception was positive with majority of the audience giving positive feedback and thanking Kituo for their great work. This has made the public trust our services and the organization as a brand.

RESEARCH, COMMUNICATION AND KNOWLEDGE MANAGEMENT



housing, labour, refugee rights and other emerging human rights concerns with the goal of informing KITUO's interventions, influencing policy and ensuring accurate documentation of KITUO's work.

OUR SUPPORT DEPARTMENTS
Finance and Administration Department (FAD)
 Responsible for KITUO's institutional and logistical functioning, the Finance and Administration Department aims to ensure financial well-being and availability of resources for KITUO's future sustainability and growth. The department also incorporates human resources management that aims at attracting and maintaining highly skilled employees' effective organisational performance. The human resources component of the department organizes mental wellness, welfare and team building programmes for employees.

Strategic Leadership and Governance Department
 Falling under the Board of Directors and the office of the Executive Director, the Strategic Leadership and Governance Department aims to provide oversight and strategic direction for the organization. The principles of corporate governance play an important role for a well-functioning organization. The Board of Directors ensure policy formulation, regular reviews of policies and effective leadership and direction.

NEED ASSISTANCE FROM KITUO?
 • Stop by one of KITUO's three offices, or send someone who has full knowledge of your problem with your relevant documents.
 • Telephone KITUO and ask for assistance.
 • Send a text message (SMS) with your legal question to 0700 777 333 indicating your name and location.
 • Visit <http://kituchasheria.or.ke/contact-us> and send us a message.

Head Office
 One Oduma Rd, Off Argwings Kodhek Rd,
 P.O. Box 2415 - 00101, Nairobi, Kenya
 Tel: 0727773391
 E-mail: info@kituchasheria.or.ke

Branch Office - Nairobi
 Farid Migration Programme (FMP)
 KCDF House, 4th Floor
 ChairPamba Road, off Juja Road, Pangani-Nairobi
 Tel: 0202006531
 E-mail: fmp@kituchasheria.or.ke

Regional Office - Mombasa
 Tarekhu Street, Tudor,
 near Technical University of Mombasa
 Adjacent to White Rhino Hotel,
 P.O. Box 89065 Mombasa, Kenya
 Tel: 0205048820
 E-mail: mao@kituchasheria.or.ke

LSK Fr. Kaiser Human Rights Award Winner 2022

50th Anniversary

A Just and Equitable Society



E-FILING SYSTEM PROCEDURE

Log into the system using <https://efiling.court.go.ke>

Are you new to the system?

If yes, click on **REGISTER** and follow the account you want to register (Law firm, Organisation, individual)

Step 1 - Enter your valid details
Step 2 - Enter your contact details
Step 3 - Enter log in details (for instant payment)
Step 4 - Confirm your account details and submit
 (Ensure you enter the correct contact details, E-mail & Telephone Number) as the Court will use these details for important communication and dissemination of notices and orders.

If you already registered

Step 1 - Enter your valid details
Step 2 - Enter your contact details
Step 3 - Enter log in details (for instant payment)
Step 4 - Confirm your account details and submit
 (Ensure you enter the correct contact details, E-mail & Telephone Number) as the Court will use these details for important communication and dissemination of notices and orders.

Step 5 - Activate your account (An email notification will be sent directly to your email address for account activation. Valid for 24 hours)
Step 6 - After successful activation, login and proceed with the filing.

Step 7 - For existing cases which you intend to file additional documents, click request mapping to existing cases.
Step 8 - Choose the correct case status.
Step 9 - Correctly enter the details of the parties and their click next.
Step 10 - Upload the document into the e-filing system.

All the system will auto-assess the document and advise on the amount to be paid.
Step 11 - Pay the correct amount assessed using the MPSS (M-Pesa) Number 053388 and the Unique Account Number indicated on the invoice.
Step 12 - Once you receive a confirmation message from KES, the system will auto-generate a case number (Starting with letter "C")
Step 13 - Print the Electronic Receipt and keep it for service of pleadings to other party and for future court use to enable you follow up on the progress of the case.

YES... IT WORKS!

SAY NO to Repatriation of REFUGEES

World Refugee Day 2021

What is MPSS?
 MPSS stands for Mental Health and Psychosocial Support and describes a range of services that are available to people in distress. It is a platform for information sharing and advocacy aimed at promoting the protection of mental health and psychosocial well-being of refugees and asylum seekers who are experiencing distress. It is a platform for information sharing and advocacy aimed at promoting the protection of mental health and psychosocial well-being of refugees and asylum seekers who are experiencing distress.

What is counselling?
 Counselling is a therapeutic process in which the counsellor and the client discuss together which emotional issues to work on in a specific session. The counsellor guides the client through the process in that they are solution to existing problems by means of listening and giving guidance, setting new objectives for a solution and creating hope.

How do I or others get help?
 All persons have the right to seek a mental health service. This can approach them either directly in such an environment by calling one of the provided phone numbers.

What is the Urban Refugee MPSS Working Group?
 This group was created in 2018 to improve coordination and address mental health and psychosocial support in Nairobi. It is a platform for information sharing and advocacy aimed at promoting the protection of mental health and psychosocial well-being of refugees and asylum seekers who are experiencing distress. It is a platform for information sharing and advocacy aimed at promoting the protection of mental health and psychosocial well-being of refugees and asylum seekers who are experiencing distress.

MENTAL HEALTH AND PSYCHOSOCIAL SUPPORT (MPSS) SERVICES FOR REFUGEES AND ASYLUM SEEKERS IN NAIROBI

UNHCR, IOM, NRC, and other partners are working together to provide mental health and psychosocial support services to refugees and asylum seekers in Nairobi.

KITUO CHA SHERIA CENTRE DE CONSEIL JURIDIQUE

Officially opened on 17th December 2021

Kituo Cha Sheria is a non-profit organization that provides legal advice and representation to refugees and asylum seekers in Nairobi. It is a platform for information sharing and advocacy aimed at promoting the protection of mental health and psychosocial well-being of refugees and asylum seekers who are experiencing distress.

This Prison Paralegal Justice Centre

has been constituted by Kituo Cha Sheria, CEFA and the Kenya Prisons Service with the generous support of the European Union under the Inuita Haki Project and the Charles Stewart Mott Foundation

(Officially opened on 17th December 2021)

Kituo Cha Sheria is a non-profit organization that provides legal advice and representation to refugees and asylum seekers in Nairobi. It is a platform for information sharing and advocacy aimed at promoting the protection of mental health and psychosocial well-being of refugees and asylum seekers who are experiencing distress.

Social Media

Kituo's Facebook friends and the Kituo Cha Sheria-Legal Advice Centre page likes combined has grown from 12,300 in 2021 to 13,066 people in 2022. It is one of the key communication avenues for program activities as they happen. Kituo's Twitter handle followers has also increased from 10,600 in 2021 to 11,525 in November 2022, while our website is currently doing over 10,599 visitors per month as compared to last year's 9,780.

Strategies

- Daily posting on land, labour, succession and refugees right with hashtags #KnowYourLabourRights, #KnowYourLandRights. The objective is to educate Kituo's online audience on their rights. This has increased engagement and following on our social media platforms by up to 30%. The posts include M-Haki number as contact number for seeking legal advice. As a result, there M-Haki platform has recorded a constant increment of messages received on the platform by up to 70%.
- Documenting all Kituo's programmes to reflect the organizational face.
- Online streaming of Kituo's strategic events and Webinars. This has increased online engagement, increased the number of clients seeking for legal for advice online and M-Haki platform as well as partners inquiring about our outreach programs.
- Boosting Kituo's page for more following
- Production of more success story videos. The stories have increased the visibility of Kituo cha Sheria projects.

Haki Blog

Articles posted on Haki blog in the year 2022.

- What the Metaverse portends for Kenya's Criminal Justice System – Steve Biko

KNOWLEDGE MANAGEMENT



Site visit of the Research team at Chamuka Village in Zambia led by the Executive Director Dr. Annette Mbogoh

2. Prevention of violence against women and girls with disabilities: towards inclusivity and equity – Janet Kavulavu
3. Is there recourse for clients where advocates are in breach of their professional code of conduct? – Tracy Wachira
4. Who gets the ventilator first? a case for human rights-based guidelines in Kenya - article by John Mwariri
5. Sex between two minors: adherence to the law vis a vis protecting the child - Diana Righa;
6. Advocate of the High Court of Kenya - Ignorance to Law is No Excuse: The Place of Legal Aid Services within the Kenyan Legal System - Ouma Kizito Ajuong'
7. Used and Abused: A Case for a Paradigm Shift in GBV reporting, Article by Nelius Njuguna – KITUO's Volunteer Advocate.
8. Advocate of the High Court of Kenya - To Do or Not Do: A Critical Look into the Welfare of Persons with Disabilities in the Legal Profession - Ouma Kizito Ajuong'

Website:

The upgrading of Kituo's website is at its final stage. The Kituo Cha Sheria Website (www.kituochasheria.or.ke) was updated regularly with new content. Including updates on project activities and documentations of the projects, vacancies, call for registration of webinars among others. This kept Kituo Staff, Partners and beneficiaries informed of the latest happenings. There were a number of enquiries made through the website by partners and beneficiaries on ways of partnerships for outreach programs. The website recorded up to 10,599 visitors per month as compared to 2021's 9,780 per month. The numbers reflect people who visited the website and navigated through various updated content, shared the content, commented or sent inquiries as well as those who visited but made no action.

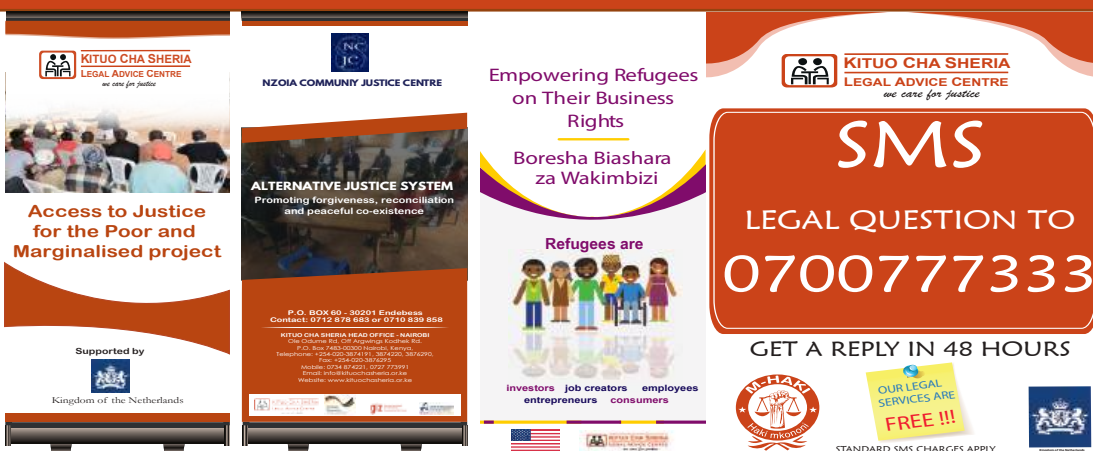
Kituo featuring in the media

Kituo featured in various mainstream media stations in the year 2022. The media coverages have increased the visibility of Kituo cha Sheria. At the moment, Kituo has engaged four media houses in Mombasa namely; citizen, Ntv and Tv47 to document feature stories on the marerani PIL case filed by Kituo, Havest result from the Njia za Haki project and Moot court documentary respectively.

Research Project

KITUO in close collaboration with the Global Legal Empowerment Network and African Centre for Excellence and with funding from the International Development Research Centre (IDRC) will be implementing a 3-years research project that will evaluate the impact of legal empowerment programming, the use of technology within the justice sector during the COVID- 19 pandemic and formalisation of paralegals through recognition, training and accreditation. Comparative research of African countries and international best practices will also be conducted to provide a roadmap for the legal empowerment sector within the region. The scope of the project will be Kenya and the entire East Africa region. Lessons from other parts of Africa on these three questions will be shared as best practices. The research findings will not inspire change in attitudes and practices among the public, state and non-state actors but also inform future Programme design, innovation and strategy on legal empowerment. The project also seeks to enhance learning in the East Africa region on legal empowerment. The research project will develop policy briefs and outcome documents that

RESEARCH, COMMUNICATION AND KNOWLEDGE MANAGEMENT



will be used by KITUO and regional partners such as the African Centre for Excellence and NAMATI for advocacy around legal empowerment in the Africa region.

The research team commenced the data collection on the two research questions. The research question on the impact of the use of technology in the justice sector and research project on paralegalism that seeks to address the confusions surrounding state and community recognition of paralegal, state regulations of paralegals services, financing and training. The number of respondents attained so far are as follows; on paralegalism the 377 (186-male,191-female) respondents have been interviewed. On the use of technology in the justice sector a total of 196 (88-male,108-female) respondents have been interviewed.

On the question of paralegalism, a synopsis of the finding from the research reveals that;

- A paralegal is someone with basic knowledge who works in the community advocating for justice for all.
- Community based paralegals are recognized by most community members and local government administration as key in offering legal service within the community.
- There were mixed reactions on the issue of regulation of paralegal service whereby, half of them supported it citing that it would bring orderliness

in legal aid service delivery. The other half felt that regulation would lock some experienced paralegals who have not met the academic qualifications.

- The paralegals were satisfied with the training offered because they learned a lot and they requested regular refresher courses.
- Most of the chiefs interviewed cited that paralegal service has enhanced access to justice in the communities they work for. However, a few chiefs were against the paralegal service. Some chiefs were not aware of the existence of paralegals in the community.
- Most representatives from legal empowerment organisations also work with paralegals, however some have different names for paralegals. Paralegals are referred to as community monitors in some instances.
- On funding, most paralegals proposed provision of finance for paralegal service by the state in collaboration with legal empowerment organisations. A few paralegals proposed to be financed directly by the state.

On the impact of the use of technology in the justice sector, these were the preliminary findings.

- Both the paralegals and community member respondents were not prepared for the ICT transformation on access to justice because of limited access to internet enabled devices, unaffordable data bundles, illiteracy, lack of the know-how on navigating the ICT platform. For the paralegals whose main problem was lack of the know-how on navigating the ICT platform, are willing to be trained on how to use the ICT platform.
- Most paralegals and community members recommended the following on improving the use of technology in access to justice; a wide range of internet coverage by the government and provision of free access to Wi-Fi in public places. The paralegals cited a need for them to be trained on E-filing and be provided for internet enabled devices. There was also a need to conduct sensitization and training of community members on use of the technology in access to justice. Recommendations were made to increase the number of community based paralegals to enhance service delivery particularly with the introduction of the use of ICT to access justice.
- The community justice centres visited, only the coordinators are able to navigate the ICT platform. Each justice centre had at least one functional desktop computer and they requested for additional 3-5 computers per justice centre.

PUBLIC INTEREST REGIONAL COLLOQUIUM TO REVIEW THE ROLE OF PEOPLE DRIVEN JUSTICE IN AFRICA



Sited from left; Dr. Nancy Baraza, Hon. Justice Martha Koome, EGH Chief Justice and Mr. Justus Munyithya together with Kituo staff and participants pose for a group photo during the colloquium



Hon. Justice Martha Koome, receiving a gift hamper from Mr. Justus Munyithya, Chairperson BoD Kituo cha Sheria during Public Interest Regional colloquium

Kituo Cha Sheria, in collaboration with MISEREOR, organized a Public Interest Regional Colloquium on March 7th and 8th, 2022, bringing together legal empowerment organizations in the East, Horn, and Southern Africa region. The focus was on assessing the role of people-driven justice in Africa through panel and plenary discussions.

Keynote Address by Chief Justice Martha Karambu Koome: Hon. Justice Martha Koome, Chief Justice & President of the Supreme Court of Kenya, highlighted the Judiciary's commitment to enhancing people-centered justice in Kenya. Plans included cost-friendly approaches like Court Annexed Mediation, Alternative Justice Systems, and Small Claims Courts, emphasizing justice as a cornerstone of sustainable development.

Legal Empowerment and People-Driven Justice: Panelists, including Aimee Ongeso, Dr. Nancy Baraza, and Mariam Alo, distinguished legal empowerment from legal aid. Legal empowerment involves building people's capacity to understand rights, remedies, and avenues for redress. Paralegals were recognized for their crucial role in legal empowerment efforts.

Informal Justice Systems and Public Interest Litigation: Discussions acknowledged the significance of informal justice systems in African communities, emphasizing their cultural roots in amicable and speedy dispute resolution. Public interest litigation successes were noted, but challenges, such as time and resource requirements, were highlighted.

State and Non-State Collaboration: The colloquium addressed the role of state institutions in promoting community-driven justice, emphasizing collaboration between state and non-state entities. The Open Government Partnerships were discussed as a platform for joint efforts, including elements of alternative justice systems and improving virtual court accessibility.

Civil Society Organizations (CSOs) and Recommendations: CSOs were recognized for their crucial role in advancing people-driven justice. Recommendations included educating paralegals on the Advocates Act and encouraging their involvement in drafting regulations governing their mandate.

Conclusion: The Public Interest Regional Colloquium provided a comprehensive platform for discussions on advancing people-driven justice in Africa. Key stakeholders, legal experts, and organizations dedicated to legal empowerment contributed to a rich dialogue, setting the stage for further developments in the pursuit of accessible and inclusive justice systems.

BUILDING THE LEGAL EMPOWERMENT MOVEMENT IN AFRICA, SHARED LEARNING, COMMUNITY POWER AND ADVOCACY FOR JUSTICE



Legal Empowerment Network members, Kituo staff and Participants pose for a group photo at the Chief's Office in Kibra, Nairobi



Legal Empowerment Network members with Kituo Board Chair Mr. Justus Muniithya and member Joy Asiemu with special attendance by Ms. Mercy Wambua, the CEO Commission on Administrative Justice (CAJ), and Commissioner Jedidah W'akonyo Waruhiu

In July 2022, Kituo cha Sheria hosted a regional meeting in Nairobi, Kenya, bringing together legal empowerment practitioners from across Africa. The meeting focused on addressing common challenges in the field.

Key Themes:

Recognition of Paralegals: Participants discussed the formal recognition of community-based paralegals, navigating legal frameworks and challenges posed by restrictive laws.

Financial Challenges: Limited funding for legal empowerment initiatives was identified as a significant hurdle, with a call to engage with funding sources for greater accessibility.

Coordination: Participants stressed the need to strengthen collaboration among legal empowerment organizations at regional and sub-regional levels.

Initiatives and Learning Agenda: A Learning Agenda was established, focusing on demonstrating impact, identifying financing and recognition forms, and understanding how legal empowerment can build collective power.

Action-Oriented Learning: Case studies and a visit to the Kibra Justice Centre showcased practical examples, highlighting the importance of participatory action research.

Roadmap for the Future: Participants crafted a roadmap, emphasizing collaboration, evidence-based advocacy, and storytelling through digital media.

Continued Commitment: The meeting concluded with a commitment to ongoing collaboration, learning, and advocacy. The West Africa Legal Empowerment Network invited organizations for a virtual exchange in October 2022.

Participants: Diverse organizations from across Africa actively participated, showcasing a collective commitment to strengthening legal empowerment.

Conclusion: This regional meeting laid the groundwork for ongoing efforts to address challenges and enhance legal empowerment in Africa through collaborative, action-oriented initiatives.

KITUO FETED AT THE LAW SOCIETY OF KENYA ANNUAL AWARDS 2022



Kituo Cha Sheria, Chairperson of BOD Mr. Justus Munyithya and Mercy Wambua, KITUO's Board Member, receives the KITUO's award from LSK representative on 25th March 2022



Hellen Namisi the chair of the HIV & AIDS Tribunal, Mr. Justus Munyithya Chairperson of BOD Kituo Cha Sheria and Mr. John Mwariri pose for a photo with the award

KITUO bagged the coveted Fr. Kaiser Human Rights Award during the colourful LSK Annual Awards-2022 held on 25th of March, 2022 at the Safari Park Hotel, Nairobi. The award is named in honour of the late Father John Anthony Kaiser; a Roman Catholic priest who died in August 2000 and was touted as a study in courage, determination and sacrifice on behalf of the weak, oppressed and downtrodden. At the Awards ceremony, KITUO was recognized for having greatly impacted the lives of indigent and marginalized communities through our human rights programmes and interventions. Some of these include Kituo's involvement in strategic litigation cases that have contributed towards jurisprudential development of human rights including the prisoners' right to vote in elections, the protection of refugees rights, safeguarding of housing rights of dwellers of informal settlements, the Building Bridges Initiative case, police brutality, 1998 US Embassy bombing, Marsabit toxic waste and access to digitized justice for self-representing indigent litigants.

KITUO was also considered for demonstrating innovation in our programs, allowing the organization to remain relevant within the context of a dynamic environment. KITUO has been at the forefront in embracing the use of ICT in legal empowerment programmes. KITUO has advocated for law reform nationally, regionally, and globally. The enactment of laws and policies such as the Constitution of Kenya 2010, the Legal Aid Act 2016, the Land Act 2012, the National Peace Policy among others were spearheaded by KITUO alongside other collaborative partners. In addition, KITUO has jointly with other organizations submitted policy statements on human rights to the African Commission for Human and People's Rights, Universal Periodic Review and the Kenyan Parliament.

Due to our extensive experience in legal empowerment and human rights work, KITUO has been recognized as a leading actor and trailblazer regionally and globally. In Africa, KITUO serves as a founding member of the African Centre of Excellence for Access to Justice, which is the only Pan-African organization promoting justice in the continent. Globally, KITUO sits in the Network Advisory Committee of the Global Legal Empowerment Network representing the East Africa region. KITUO coordinates learning, community building, and advocacy of Legal Empowerment Network members in East and Southern Africa. In addition, KITUO is the co-chair of the Access to Justice Cluster under the global Open Government Partnerships platform. Jointly with other justice organizations, KITUO has been co-implementing the access to justice commitment in Kenya's fourth National Action Plan.

KITUO is honored to have our efforts in promoting access to justice for the poor and marginalized recognized by the Law Society of Kenya.

KITUO'S INCEPTION MEETING FOR A REGIONAL RESEARCH PROJECT



The Chair, Executive Director, Kituo staff and participants during the Research project inception meeting



Participants sharing and engaging during the Research project inception meeting

Kituo Cha Sheria on 31st January 2022 conducted an Inception Workshop at Heron Portico Hotel in Nairobi, to kick-off a threeyears research project that will evaluate the impact of legal empowerment programming, the use of technology within the justice sector during the COVID- 19 pandemic and formalization of paralegals through recognition, training,financing and accreditation.The virtual side event themed People-Centered Justice brought together paralegals, and organizations that support paralegals, from across Africa, policymakers, and state officials to continue a continent-wide conversation on how they can work together to support and bolster the important work of community-based paralegals.The meeting brought together (in-person and virtually) key stakeholders and partners mainly the legal aid service providers, state and non-state actors who will be involved in the research to share their understanding of the research project goals, deliverables and workflow.

The partners applauded this move and pledged to cooperate with Kituo towards successful implementation of the research project. Among the partners that were present include; the Judiciary, community paralegals, LSK and Prison Officers, Namati, African Centre for Excellence for Access to Justice (ACE-AJ) And The Legal Aid Forum (LAF) in Rwanda.

While giving an overview of the research project, Dr. Annette Mbogoh Executive Director Kituo Cha Sheria, emphasized on the importance of an evidence-based research to inform future programming on legal empowerment and the need to conduct empirical research that will identify gaps and recommend strategies that can bring transformative and systemic change. The scope of the project will be Kenya and the entire East Africa region. Lessons from other parts of Africa on these three questions will be shared as best practices. The research findings will not only inspire change in attitudes and practices among the public, state and non-state actors but also inform future programme design, innovation and strategy on legal empowerment. The project that also seeks to enhance learning in the East Africa region on legal empowerment was launched by the Kituo BoD Chair Mr Justus Muniyithya.

The project is supported by the International Development Research Centre (IDRC).

THE SECOND PARALEGAL SOCIETY OF KENYA (PSK) SUMMIT



Dr. Elkana Kimeli, Kituo board member, presenting an award to the winner during 2022 PSK annual award



Award winners pose for a group photo together with the PSK steering committee

The 2nd Paralegal Society of Kenya (PSK) summit took place from 14th to 15th December 2022 at the Tamarind tree hotel, Nairobi. The paralegal summit seeks to bring together paralegals from all parts of Kenya and East Africa to exchange best practices, share challenges as well as possible avenues of collaboration. The 2022 theme was ‘Towards a robust and vibrant paralegal movement’.

The objectives of the summit included mobilizing paralegals to register as Paralegals Society of Kenya members, building a capacity of Paralegals so as to establish and strengthen the county fora and providing a platform for engagement between paralegals and duty-bearers in the justice sector as well as providing a platform for experience sharing among the paralegals.

Mary Airo, the National Coordinator Paralegal Society of Kenya, in her remarks, appreciated the passionate work done by paralegals noting that they wholeheartedly give legal services to the communities to ensure that the poor and vulnerable access justice. UNDP’s Zainab pointed out that the realization of human rights and access to justice are crucial aspects of the quest for sustainable development. She also noted that without strong guarantees for access to justice particularly for the poor and vulnerable, choice and opportunity to access resources and participate in governance would remain at risk. Justus Munyithya, the Chair of the Board of Directors, Kituo Cha Sheria in his remarks, stated that one of the critical goals of sustainable development is to ensure that no one is left behind. “Article 48 of the constitution of Kenya, guarantees every Kenyan the right to access justice, which is yet to be fully realized due to the state’s political nature.” Said Mr. Munyithya. Mr. Munyithya added that this right still remains out of reach for many poor and marginalized groups due to barriers to access to justice which are numerous and include the lack of political will to implement laws and policies that promote access to justice, high costs associated with the formal justice system, advocates fees, filing fees and general inadequacy of awareness of human rights.

One of the objectives of the summit was to award paralegals who have fiercely promoted access to Justice. The first-place winner of the community award service award was Michael Asao. The second-place winner for the best prison justice men was Kamiti Maximum Prison and the third-best winner for the best overall community paralegal was Jamia Abdulrahim.

THE 1ST ANNUAL ALTERNATIVE JUSTICE SYSTEM (AJS) SUMMIT



From left, Br. Dr. Jonas Yawovi Director Institute of Social Transformation Tangaza University, Dr. Annette Mbogoh, Executive Director Kituo Cha Sheria and Dr. Steve Ouma, Vice Chairperson National Steering Committee on Implementation of AJS policy leading a panel discussion on AJS as a tool for social transformation justice and societal discourse

The 2022 Alternative Justice System (AJS) summit was convened by the National Steering Committee on Implementation of Alternative Justice System (NSCI-AJS) at Tangaza University in Nairobi. The purpose of the summit was to bring together all AJS champions in the Country.

The inaugural summit, focused on the Judiciary's vision of Accelerating Social Transformation through Access to Justice. The other agenda was to provide an experience sharing and knowledge exchange session for the participants from all counties with AJS models and actors. The summit was opened by the Deputy Chief Justice (DCJ) Hon. Philomena Mwilu who gave the keynote speech on behalf of the Chief Justice Hon. Martha Koome. The key message was the need to actualize the AJS policy. The DCJ stated that the idea behind AJS is nothing new but a reflection of the reality in our communities,

right from pre-colonial times to contemporary that has had indigenous systems of justice that operate outside the structures of state institutions. She added that most of our communities emphasized social harmony as the overriding ideology of social organization.

Hon. Justice (Prof) Joel Ngugi, the Chair, National Steering Committee for the Implementation of the Alternative Justice Systems Policy (NaSCI-AJS) while highlighting the successes of AJS, stated that the use of AJS in Othaya Sub-County has shaped the law's, security apparatus', administrations and society's response to the Mungiki menace in that locality. He also encouraged AJS practitioners to go upstream and ensure only the right cases come to Court

Dr. Annette Mbogoh who gave a presentation on the role of CSOs in cascading AJS emphasized on the need for Civil Society Organizations to strongly collaborate with Judiciary through the National Steering Committee for the Implementation of the Alternative Justice Systems Policy (NaSCI- AJS) in setting up structures and plans, public sensitization, training of Alternative Justice Systems (AJS) practitioners and setting co-referencing mechanisms between AJS structures and courts. She further stated that there is need for sustained advocacy aimed at increasing financing for implementation of the AJS policy. This will go a long way in facilitating AJS practitioners to effectively do their work. She urged the partners to consider using existing grassroots networks established by CSO to cascade AJS and Integrate mental health and psychosocial support in AJS mechanism due to the emotive nature of the disputes that are resolved.

While sharing a case study of Kituo cha Sheria's model on AJS, Dr. Mbogoh stated that KITUO has been implementing AJS as an integral part of its access to justice and legal empowerment work. Kituo has worked specifically in Trans Nzoia, Kisumu and Uasin Gishu Counties since 2017 with support from Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ)-Civil Peace Service. This project arose from the need for systems that foster forgiveness, justice and reconciliation due to the lack of accountability at community level following the 2007/2008 Post-Election Violence (PEV). The project was borne out of KITUO's efforts to promote and protect the rights of victims of the Post-Election Violence (PEV) through the peace justice and reconciliation project that was initiated in 2009.

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CONTACTS

Head Office - Nairobi
Ole Odume Rd, Off Argwings Kodhek Rd
P.O. Box 7483 - 00300
Nairobi, Kenya.
Tel. : 254-020-3874220, 387419, 3876290
Mobile: 0734874221, 0727773991
Fax: 254-020-3876295
E-mail: info@kituochasheria.or.ke
Website: www.kituochasheria.or.ke
Facebook: Kituo Cha Sheria
Twitter handle: @kituosheria

Branch Office - Jogoo Rd, Nairobi
Forced Migration Program (FMP)
Pangani - KCDF House, 4 th Floor
Chai/ Pamba Road, Off Juja Road, Nairobi
Tel: 202451631, 0736867241, 0720806531
Fax: 254-020-3876295
Email: info@kituochasheria.or.ke

Regional Office - Mombasa
Taratibu Street, Tudor
Next to White Rhino Hotel
P. O. Box 89065, Mombasa, Kenya.
Tel. : 0700638379, 0731129739
E-mail: msa@kituochasheria.or.ke

