Annual Report 2019

Strengthening the Administration of Justice and Operationalizing Alternatives to Imprisonment in Kenya

Programme for Legal Empowerment and Aid Delivery in Kenya – PLEAD
Foreword

Achieving breakthroughs in the performance of the Republic of Kenya’s criminal justice system will contribute to building a stronger, more prosperous nation.

The Programme for Legal Empowerment and Aid Delivery in Kenya (PLEAD) is enabling key criminal justice institutions to realize their vision for a fit-for-purpose, pro-poor justice system. Funded by the European Union, the KES 4.2 billion programme is the largest criminal justice partnership in Sub-Saharan Africa.

The United Nations Office on Drugs and Crime (UNODC) takes great pride in its responsibility as co-implementer of PLEAD. It is our honour to play a pivotal support role in improving the delivery of justice services and expanding the use of alternatives to imprisonment in Kenya. This annual report for 2019 outlines progress in delivering the PLEAD component driven by UNODC.

In 2019, the PLEAD partnership grew stronger and implementation gained considerable momentum.

We are deeply grateful to the principals and staff of our national partners: the National Council on the Administration of Justice (NCAJ) and its committees; the Judiciary; Office of the Director of Public Prosecutions (ODPP); Probation and Aftercare Service (PACS) and Witness Protection Agency (WPA). So too we applaud the Delegation of the European Union to Kenya for its unerring support, and acknowledge our positive collaboration with PLEAD co-implementer, the United Nations Development Programme.

Among the notable results achieved with our technical assistance, ODPP finalized key instruments to reduce the backlog of cases and contribute to decongesting prisons, namely a Diversion Policy and Plea Bargaining Guidelines. The Judiciary ramped up implementation of national Active Case Management Guidelines, rallying multiple agencies to work together to dispose of cases justly and expeditiously.

We accompanied the Judiciary Taskforce on Traditional, Informal and Other Mechanisms Used to Access Justice in Kenya as they drafted a landmark policy to mainstream Alternative Justice Systems with a view to improving the community’s role in the administration of justice while reducing caseload at the source.

Upskilling was a priority. In responding to the needs of our national partners, we facilitated the training of 1,595 officers in the criminal justice sector, 45 per cent of whom were women. Our team assisted the Bail and Bond Implementation Committee of NCAJ to develop and roll-out training aids to standardize and streamline the administration of bail and bond. Furthermore, our support was instrumental in completing training needs assessments for PACS and ODPP which set the desired direction of both institutions’ upcoming professional development curricula.

While it is too early to gauge the full impact of such progress, it will certainly enhance efforts to realise access to justice for all under Sustainable Development Goal 16.

Given these strong foundations, I am optimistic about the opportunities that lie ahead for Kenya in seeking to better serve the Wanjiku (citizens) and meet their expectations for equitable justice.

Dr Amado Philip de Andrés
Regional Representative
Regional Office for Eastern Africa
United Nations Office on Drugs and Crime
Our results

3 NATIONAL POLICIES AND GUIDELINES FINALIZED

3 TRAINING NEEDS ASSESSMENTS COMPLETED

1,595 PARTICIPANTS IN TRAINING WORKSHOPS

114 MEETINGS, WORKSHOPS AND CONFERENCES FACILITATED

4 TRAINING COURSES DEVELOPED

1,844 VIEWS OF LEAD VIDEOS
Contents

Foreword iv
Abbreviations and acronyms viii
Key to symbols ix

Introduction 1

Context in Kenya 1
About PLEAD 2
UNODC project management 3
Building partnership and cooperation 5
Meet our national partners 6

Section 1: Strengthening court administration and case management 7

Enabling Active Case Management 8
Ongoing training for judicial staff on court registry processes 10
Enhancing customer care desks 10
Mainstreaming Alternative Justice Systems 11
International exposure for AJS 12

Section 2: Increasing quality and efficiency of criminal justice institutions 13

Supporting institutional change at ODPP 14
ODPP Strategic Planning Conference 15
Promoting innovation: Legal Hackathon 16
Supporting the fight against corruption 18
Strengthening the Prosecutors Training Institute 18
Enabling wider use of diversion and plea bargaining 19
Case management system 21
Further institutional support for ODPP 22
Building the institutional capacity of WPA 23
Supporting the development of Standard Operating Procedures 23
Equipping WPA offices 24
Raising awareness of the WPA mandate 24
| Supporting strategy and institutional change | 26 |
| Juvenile and Youth Justice Strategy | 26 |
| Assistance for emerging areas of supervision | 27 |
| Development of curricula and training guides | 28 |
| Upskilling PACS officers | 29 |
| Putting training into practice in Uasin Gishu County | 30 |
| Equipping PACS offices | 31 |
| PACS: Strategic communications support | 32 |

**Section 3: Improving coherence, cooperation and collaboration within Kenya’s justice sector**

| Enhancing NCAJ strategic planning | 35 |
| Improving recognition of NCAJ | 36 |
| Supporting inter-agency data collection and use | 36 |
| Supporting the application of bail and bond in Kenya | 37 |
| Promoting criminal justice reform | 39 |
| Empowering Court Users’ Committees | 40 |

**Communications and visibility**

| Setting our strategy | 42 |
| Progress with joint flagships | 43 |
| Progress with broader strategy implementation | 44 |
| Enhancing EU visibility | 45 |

**Challenges and solutions**

| Security in PLEAD focal counties | 47 |
| Low operational capacity of NCAJ | 47 |
| Coordination among development partners | 48 |
| Human resources | 48 |
| Equipment needs of our national partners | 48 |

**Annexes**

| Annex 1: Workshops and Meetings Tracker 2019 | 56 |
| Annex 2: UNODC Project Team for PLEAD | 60 |
## Abbreviations and acronyms

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
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<tbody>
<tr>
<td>ACM</td>
<td>Active Case Management</td>
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<tr>
<td>ADR</td>
<td>Alternative Dispute Resolution</td>
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<td>AJS</td>
<td>Alternative Justice Systems</td>
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<td>BBIC</td>
<td>Bail and Bond Implementation Committee</td>
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<td>CCPCJ</td>
<td>Commission on Crime Prevention and Criminal Justice</td>
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<td>CPV</td>
<td>Community Probation Volunteer</td>
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<td>CSO</td>
<td>Community Service Order</td>
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<td>CUC</td>
<td>Court Users’ Committee</td>
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<td>EU</td>
<td>European Union</td>
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<tr>
<td>GMCP</td>
<td>Global Maritime Crime Programme</td>
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<td>IDLO</td>
<td>International Development Law Organization</td>
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<td>IEC</td>
<td>information, education and communication</td>
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<td>JSC</td>
<td>Judicial Service Commission</td>
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<td>JTI</td>
<td>Judiciary Training Institute</td>
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<td>PACS</td>
<td>Probation and Aftercare Service</td>
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<td>NCAJ</td>
<td>National Council on the Administration of Justice</td>
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<td>NCCJR</td>
<td>National Committee on Criminal Justice Reforms</td>
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<td>NCRC</td>
<td>National Crime Research Centre</td>
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<tr>
<td>NGO</td>
<td>Non-governmental organization</td>
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<td>NIAca</td>
<td>National Integrity and Anti-Corruption Academy</td>
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<tr>
<td>ODPP</td>
<td>Office of the Director of Public Prosecutions</td>
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<td>PACS</td>
<td>Probation and Aftercare Service</td>
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<tr>
<td>PLEAD</td>
<td>Programme for Legal Empowerment and Aid Delivery in Kenya</td>
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<tr>
<td>PTI</td>
<td>Prosecutors’ Training Institute</td>
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<td>SDG</td>
<td>Sustainable Development Goal</td>
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<td>SOJAR</td>
<td>State of the Judiciary and the Administration of Justice Report</td>
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<tr>
<td>SOPs</td>
<td>Standard Operating Procedures</td>
</tr>
<tr>
<td>TNA</td>
<td>Training Needs Assessment</td>
</tr>
<tr>
<td>ToT</td>
<td>Training of Trainers</td>
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<tr>
<td>UNDP</td>
<td>United Nations Development Programme</td>
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<tr>
<td>UNODC</td>
<td>United Nations Office on Drugs and Crime</td>
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<tr>
<td>UNDSS</td>
<td>United Nations Department for Safety and Security</td>
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<tr>
<td>USDoJ</td>
<td>United States Department of Justice</td>
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<tr>
<td>WPA</td>
<td>Witness Protection Agency</td>
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Key to symbols

Symbols used throughout the report indicate the level of progress towards achieving the outcomes and indicators specified in the PLEAD logical framework for UNODC.

- **Outcome or indicator achieved**
- **Outcome or indicator in progress**
- **No action** undertaken during the reporting cycle

A probation officer (right) at Makadara Law Courts, August 2019
Introduction

As the global guardian of the United Nations standards and norms in crime prevention and criminal justice, the United Nations Office on Drugs and Crime (UNODC) is mandated to support Member States in upholding the rule of law, promoting crime prevention and effective, fair, humane and accountable criminal justice systems.

Within the framework of our Regional Programme for Eastern Africa (2016-2021), and in cooperation with the Regional Section for Africa and the Middle East at our Vienna headquarters, the Crime Prevention and Criminal Justice Pillar of our Regional Office in Eastern Africa seeks to implement these objectives through support to major justice reform processes led by East African Member States.

Consistent with this mandate, our UNODC project – Strengthening the Administration of Justice and Operationalizing Alternatives to Imprisonment in Kenya – is supporting the Government of Kenya to improve the delivery of justice services, enhance coordination within the criminal justice sector and expand the use of alternatives to imprisonment. The project is one component of the European Union-funded Programme for Legal Empowerment and Aid Delivery in Kenya (PLEAD).

This 2019 annual report sets out progress by our team in implementing the project in tandem with PLEAD partners. The report covers the period 1 January to 31 December 2019, and provides outcomes-based narrative and financial information.

This report is structured so that each main outcome is addressed in a separate section, complete with a discussion of progress against our project’s specific outputs and indicators. Overall progress against the project objective is discussed in the Executive Summary. While information about the 114 PLEAD-supported meetings, workshops and other events our team facilitated in 2019 is spread throughout the report, a consolidated list is at Annex 1.

Context in Kenya

The Constitution of Kenya 2010 enshrines the right of access to justice and has provided considerable impetus for transforming the justice sector. Criminal justice institutions – individually and collectively – along with other sections of the community, including civil society, are making concerted efforts to reduce obstacles that are impeding equitable justice.

However, despite recent progress, access to justice remains a challenge for many Kenyans. For example, courts face a backlog of cases, leading to prolonged trials. Prisons are overstretched beyond capacity due to limited use of alternatives to imprisonment such as diversion.

Too many Kenyans are in custody who need not be there, including petty offenders who simply cannot afford to pay their fines. The effects of corruption and discrimination have undermined citizen faith in their justice system. Among other obstacles, low awareness of the services offered by key criminal justice institutions is limiting their ability to deliver on their mandates.

In consultation with the government and other justice sector stakeholders, our PLEAD Baseline Study conducted in 2018 explored such issues, with a view to identifying the status of the administration of justice, citizens’ access to justice services and recommendations to enhance performance. The study identified gaps in critical policies and laws to support key functions in the criminal justice chain, such as a sector-wide policy to guide reduction of the prison population, and the implications of existing policies and guidelines that were only partially implemented (i.e. plea bargaining, active case management, bail and bond, and sentencing). See also the annual State of the Judiciary and the Administration of Justice (SOJAR) Reports for more on the Kenya context.
About PLEAD

PLEAD is a partnership involving the Government of Kenya, European Union, United Nations and civil society in improving the delivery of justice services, settlement of disputes and use of alternatives to imprisonment.

PLEAD is anchored in Kenya’s Vision 2030 strategy and supports government reforms that are transforming the criminal justice sector for the benefit of all citizens. Launched in 2018, the KES 4.2 billion (EUR 34.15 million) partnership is funded by the European Union (EU) and runs until 2022.

This programme could not have come at a more opportune moment for Kenya, following the promulgation of the Constitution 2010 and contested elections in 2017, and ahead of the 2022 national elections. Stabilizing Kenya and the East Africa region is about strengthening justice institutions. In terms of broader impact, PLEAD has the potential to support Kenya’s strategic positioning in the region.

PLEAD partners seek four main outcomes:
1. Enhanced access to justice, especially for the poor and vulnerable, focused on legal aid
2. Strengthened court administration and case management
3. Increased quality and efficiency in the criminal justice system, and
4. Improved cooperation throughout the justice sector.

Specific targets by 2022 include achieving a 50 per cent reduction in the backlog of criminal cases and reducing the number of pre-trial detainees by 30 per cent to combat prison overcrowding.

While aiming for national impact, PLEAD focuses on 12 counties, namely the five largest urban centres (Kisumu, Mombasa, Nairobi, Nakuru and Uasin Gishu) and seven counties of the most marginalized area of Kenya (Garissa, Isiolo, Lamu, Mandera, Marsabit, Tana River and Wajir).

The PLEAD component implemented by UNODC targets support to these five criminal justice institutions, or national partners:
- National Council on the Administration of Justice (NCAJ)
- The Judiciary
- Office of the Director of Public Prosecutions (ODPP)
- Probation and Aftercare Service (PACS) and
- Witness Protection Agency (WPA).

The United Nations Development Programme (UNDP) administers the other PLEAD component which involves the Department of Justice in the Attorney General’s Office expanding support for the provision of legal aid, for example through training legal aid providers and empowering Civil Society Organizations to deliver complimentary legal aid services.

Working to reduce the prison population will in turn reduce the government’s associated financial and social burden associated with congested prisons. Strengthening the administration of justice will assist Kenya to sustain a favourable business environment that will promote investment and job creation.

The PLEAD partnership also supports progress towards the 2030 Agenda for Sustainable Development, the global plan of action comprising 17 Sustainable Development Goals (SDGs). In particular, the partnership is contributing to achieving SDG 16 by enhancing access to justice for all and building effective, accountable and inclusive justice institutions. Interventions are also
contributing to SDG 5 objectives by actively addressing the needs of women and girls, who are more often victims of crime than perpetrators, by ensuring provision of legal aid and assistance to women and girls.

UNODC project management

**OBJECTIVE:**
Effective delivery of justice and alternatives to imprisonment in the Kenyan criminal justice system strengthened in accordance with Goal 16 of the 2030 Agenda for Sustainable Development and UN standards and norms in crime prevention and criminal justice

In pursuing this overall objective, our work centres on supporting three of the desired outcomes of PLEAD partners, namely:

- Strengthened court administration and case management
- Increased quality and efficiency in the criminal justice system, and
- Improved cooperation throughout the justice sector.

During the reporting period, the Head of our Criminal Justice Regional Programme, Ms Charity Kagwi-Ndungu, and our PLEAD Project Manager, Ms Maria Temesvari, provided constant monitoring of the project. Given the complexity and high-profile nature of PLEAD, our Regional Representative, Dr de Andrés and Deputy Regional Representative, Ms Sylvie Bertrand, provided strategic policy guidance as well as support at the senior-most level.

Our ongoing relationship with the EU Delegation was managed by Ms Kagwi-Ndungu and Ms Temesvari. We met with the EU on a regular basis to discuss programmatic issues as well as communications and visibility.

On 7 February 2019, a steering committee for the project was established to provide further guidance and monitoring of project implementation. The committee comprises representatives of the NCAJ members who are PLEAD partner institutions, along with the EU. The steering committee was to reconvene in the last quarter of 2019 in the wings of the quarterly NCAJ meeting. However, the NCAJ meeting was postponed until early 2020.

With a growing team in what was in effect our first full year of implementation, we organized our structure so that the Judiciary and PACS were each supported by a dedicated National Programme Officer, while a third National Programme Officer was assigned to the ODPP and WPA. We embedded two consultants with NCAJ. A third consultant was responsible for liaison between NCAJ and UNODC. The work of our team was further strengthened through a Programme Support Officer/United Nations Volunteer.

Our administrative staff were the backbone of our team. As the pace of implementation picked up, so too did the demand for procurement, travel, other administrative services and financial management. Largely due to the frequency of workshops, meetings and other events (114 in total), our support staff were at times overwhelmed by the procurement and logistical aspects. Our team included a Finance Assistant, Programme Management Assistant (Procurement), Programme Management Assistant (Administration) and a Driver who were supported at different stages by individual contractors.

We engaged other consultants as needed throughout the year to supplement our team’s expertise in meeting the planned and evolving needs of our partners. Additionally, interns were regularly engaged to support the project.

Ms Charity Kagwi-Ndungu,
Head, Criminal Justice Regional Programme

Ms Maria Temesvari,
PLEAD Project Manager
OBJECTIVE:
Effective delivery of justice and alternatives to imprisonment in the Kenyan criminal justice system strengthened in accordance with Goal 16 of the 2030 Agenda for Sustainable Development and UN standards and norms in crime prevention and criminal justice.

INDICATOR 1
Percentage decrease of prison population (both pre-trial detainees and sentenced prisoners)

BASELINE: 52,833 (needs to be segregated between remandees and sentenced prisoners)
TARGET: Reduce number of pre-trial detainees by 30% and sentenced prisoners by 10% in 5 years

INDICATOR 2
Periodic NCAJ meetings at national level and CUC meetings at county level

BASELINE: 1 NCAJ meeting per year; 2 CUC meetings per focal county per year
TARGET: NCAJ Council meetings per year and 4 CUC meetings per focal county per year

INDICATOR 3
Revised statutes and number of policies and guidelines developed

BASELINE: 0 statutes revised and 0 policies and guidelines developed
TARGET: 2 statutes (Penal Code, Criminal Procedure Code) revised and 10 policies/guidelines developed

Our main strategy was to impact our partner institutions at the strategic level. During 2019, we supported strategic planning to differing extents for ODPP, PACS, NCAJ and WPA. This proved to be a vital pathway for these institutions to introduce new thinking and approaches that would flow to their regional and county-level operations.

In the fourth quarter, our team received a request from the Judicial Service Commission (JSC) for our assistance through PLEAD for developing their strategic plan and improving the capacity of their workforce. As JSC is in charge of human resources for the Judiciary, including performance management, as well as advising the national government on improving the efficiency of the administration of justice, this would afford UNODC an opportunity to extend technical support for Kenya’s justice reforms. This will be factored into our 2020 work planning.

A list of Project Team members is at Annex 2. Staffing matters are discussed further in the Challenges section.
Building partnership and cooperation

Cooperation and partnership has been a guiding principle for our work throughout the year. We have sought synergies both internally with other UNODC global and regional programmes implemented in Kenya and externally with other development partners.

To maximize results, our PLEAD team collaborated with the UNODC Global Maritime Crime Programme (GMCP) team. At the request of the Principal Secretary for Correctional Services, GMCP carried out an assessment of the correctional services in view of strengthening operational capacity. Our team contributed to aspects of the assessment which addressed the institutional capacity of PACS with the support of an expert consultant. The assessment’s findings were the starting point of our change management interventions with PACS.

Together with our team, UNODC supported ODPP through the Regional Transnational Organized Crime Programme as well as the Global Wildlife and Forest Crime Programme 8th Annual General Meeting of the East Africa Association of Prosecutors and Symposium in Ukunda, Kenya. During the symposium, ODPP shared its experience with introducing diversion and plea bargaining as alternatives to prosecution.

In consultation with the EU, we also actively supported coordination among other development partners involved in assisting Kenya’s criminal justice institutions, in particular with the International Development Law Organization (IDLO), the United States Department of Justice (USDoJ), the Foreign and Commonwealth Office of the United Kingdom (FCO) and UNDP. Through PLEAD, our team collaborated with USDoJ on the development and roll out of Plea Bargaining Guidelines; with FCO on the implementation of active case management; with IDLO on the implementation of the Bail and Bond Policy Guidelines and on strengthening the NCAJ Secretariat. This involved organizing and hosting donor and partner coordination meetings for ODPP and the Judiciary. UNODC also co-chaired the Judiciary Donor Coordination Group.
Meet our national partners

**National Council on the Administration of Justice (NCAJ)**

Mandate: To ensure a coordinated, efficient, effective and consultative approach in the administration of justice and reform of the justice system.

Formed in 2011, NCAJ is a statutory institution bringing together policy and decision makers from Kenya's justice sector. The visionary intent of NCAJ, as stipulated in the constituting Judiciary Service Commission Act, is aligned on access to justice and its efficient delivery to the public. NCAJ is a high-level policy making, implementation and oversight coordinating mechanism as reflected in its membership that comprises State and non-State justice sector actors. It is supported by a Secretariat.

**The Judiciary**

Mission: To administer justice in a fair, timely, accountable and accessible manner, uphold the rule of law, advance indigenous jurisprudence and protect the constitution.

As an independent custodian of justice in Kenya, the Judiciary is mandated to deliver justice in line with the Constitution and other laws, and to exercise judicial authority given to it by the people of Kenya. The Judiciary is expected to resolve disputes in a just and expeditious manner with a view to protecting the rights and liberties of all. It consists of the Judges of the Supreme Court, Court of Appeal, High Courts, Magistrates and technical, administrative and support staff.

**Probation and Aftercare Service (PACS)**

Mission: To promote and enhance the administration of justice, community safety and public protection through provision of social inquiry reports, supervision, rehabilitation and reintegration of non-custodial offenders, victim support and crime prevention.

PACS conducts social inquiries for preparation of reports for decision making and dispensation of justice, and to supervise offenders serving non-custodial sentences in the community. In doing so, PACS contributes to the administration of justice, public protection and community safety for a just, safe, secure and crime-free society.

**Office of the Director of Public Prosecutions (ODPP)**

Mandate: To institute and undertake prosecution of criminal matters in Kenya and all other aspects incidental thereto (as derived from Article 157 of the Constitution).

The ODPP is Kenya's national prosecuting authority which is mandated by the Constitution 2010 to prosecute all criminal cases in the country. The Director of Public Prosecutions heads the ODPP and operates independently as stipulated under Article 157 of the Constitution.

**Witness Protection Agency (WPA)**

Mandate: To provide special protection, on behalf of the State, to persons in possession of important information and who are facing potential risk or intimidation due to their cooperation with prosecution and other law enforcement agencies.

Operating since 2008, WPA promotes the rule of law by offering witness protection services. The Agency provides special protection to threatened or intimidated witnesses to ensure their security and welfare is guaranteed when testifying in court.
Section 1: Strengthening court administration and case management

We deliver technical assistance to guide Kenya’s justice agencies in dealing with criminal cases justly and expeditiously – from the pre-trial to the post-sentencing phase of court proceedings – and to mainstream Alternative Justice Systems.
The reporting period saw UNODC successfully support the Judiciary to lead the implementation of guidelines to streamline the management of criminal cases, seen as a central solution to reducing the backlog of criminal cases.

A contributing factor to case backlog is caseload. As at 30 June 2019, the Judiciary recorded 249,264 pending criminal cases, the majority of which were at Magistrates’ Courts (228,084)\(^1\). Such heavy caseload necessitates efficient time management. This, together with the factors contributing to backlog, can to a large extent be addressed through Active Case Management (ACM).

Guidelines for ACM had been in place in Kenya since 2016, yet they had not been fully implemented. In simple terms, ACM is the efficient and expeditious management of criminal cases. ACM ensures that all those involved in the trial process engage in an open and collective way with the court so that proceedings run smoothly and meet expectations for transparency and accountability.

By standardising trial practices, ACM facilitates equal treatment of all parties before the court. It also enhances cooperation within the criminal justice system.

Through PLEAD, a key intervention by our team involved assisting the ACM Steering and Drafting Committee, led by the Hon. Lady Justice Pauline Nyamweya, and the Judiciary Training Institute (JTI) with their development of ACM training aids to enable the introduction of a training programme focused on implementing the ACM guidelines. This entailed our technical assistance to develop the ACM training materials and logistical support for consultative meetings for the ACM Committee and JTI.

Our initial support in quarter one included the printing of 2,000 copies of the Judiciary’s existing Guidelines for Active Case Management of Criminal Cases in Magistrate Courts and High Courts of Kenya for distribution during the Magistrates Colloquium, held in April 2019. At the colloquium, several judges who were members of the ACM Committee and our expert consultant gave a presentation to over 400 magistrates.

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and Kadhis on the importance of ACM in courts and the support accorded to the same by UNODC and the EU through PLEAD.

By the third quarter, we had assisted the JTI and ACM Committee to draft three, comprehensive training aids:
1. Manual on Active Case Management in Criminal Cases in Kenya
3. Mock Case File and Case Study: Active Case Management.

These documents were validated at a PLEAD-supported workshop, held from 13 to 18 August in Mombasa. Following a decision to publish these training aids and the ACM guidelines in the name of NCAJ – to encourage multi-agency adoption of ACM – we supported their layout and production in quarter three in time for the commencement of training.

The main manual was designed to train criminal justice practitioners by providing an introduction and conceptual understanding of ACM, as well as practical exercises. It recognises that Kenya’s criminal justice system comprises multiple agencies, with each agency working to different internal policies and procedures.

It also recognises that to achieve the overriding objective of ACM, a holistic approach is needed. To fulfil their individual and collective objectives, agencies need to work together to achieve the overriding objectives of ACM – namely, dealing with a criminal case justly and expeditiously.

The mock case file was drafted by our team with the objective of providing guidance on ACM in various court processes, from pre-trial to post-sentencing. It begins with a fictional case scenario on the commission of the offence of robbery with violence by three accused persons. It then traces the unique circumstances and ACM considerations presented in the trial of each accused person in the preferring of charges, plea taking, bail proceedings, disclosure/discovery, pre-trial conference, trial, sentencing and post-sentence phases. The case file includes documents, reports and templates required in court-related administrative process.

Based on the materials developed, the ACM Committee and JTI launched their training at a PLEAD-supported workshop in Machakos on 3 October. This was organized

Table: Publications produced for the ACM Steering and Drafting Committee and JTI in 2019

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<thead>
<tr>
<th>Product</th>
<th>Language</th>
<th>Quantity</th>
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<tr>
<td>Manual on Active Case Management in Criminal Cases in Kenya*</td>
<td>English</td>
<td>900</td>
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<tr>
<td>For Trainers version: Manual on Active Case Management in Criminal Cases in Kenya*</td>
<td>&quot;</td>
<td>900</td>
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<tr>
<td>ACM Mock Case File and Case Study*</td>
<td>&quot;</td>
<td>900</td>
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<tr>
<td>ACM Guidelines (March 2019 reprint of existing Judiciary version)</td>
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<td>ACM Guidelines (Sept 2019 reprint)*</td>
<td>&quot;</td>
<td>900</td>
</tr>
<tr>
<td>ACM training certificates*</td>
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* Outputs of ACM Committee and JTI published in name of NCAJ
as an inter-institutional ACM training session targeting judicial officers, prosecutors, police, probation officers and lawyers from PLEAD focal counties. A further, similar training session took place in Ukunda in October.

Two Trainers of Trainers (ToT) sessions followed in November, held in Kisumu and Nakuru. This brought the total number of participants in the ACM trainings in 2019 to 234, most of whom were judicial officers and prosecutors.

**Ongoing training for judicial staff on court registry processes**

Having commenced this area of support for the Judiciary in 2018, we continued to facilitate capacity building of court registry staff. In quarter three, 79 registry clerks and other registry staff drawn from 59 courts participated in training on court registry processes that was based on the Judiciary’s Court Registry Manual launched in 2016.

The training covered the legislative framework, court registry operations, public relations and customer care, use of ICT, archiving and the collection and recording of caseload data. The participants benefitted from increased knowledge of laws and regulations governing records management and disposal, and enhanced skills for the management of court records.

**Enhancing customer care desks**

In support of customer care desks at court stations, we undertook a joint assessment mission to Shanzu Law Courts with UNODC GMCP colleagues. Situated in Mombasa County, Shanzu was selected as a pilot station as it participated in an initial test for implementing ACMin 2016. The chief magistrate had also implemented diversion, thus this was a court station open to innovation and change. The procurement of selected equipment to enhance the operation of its customer care desk is due to be completed in 2020.

Broader action in 2019 involved expanding the range of information, education and communication (IEC) materials available for dissemination at customer care desks. This included IEC materials published by national partners, such as ODPP’s diversion and plea bargaining resources in English and Swahili.
Mainstreaming Alternative Justice Systems

OUTPUT 1.2: ALTERNATIVE JUSTICE SYSTEMS

- mechanisms developed and operationalized
- Indicator: AJS Policy adopted
- Indicator: Number of AJS mechanisms in courts

According to the Constitution of Kenya 2010, in exercising judicial authority, the courts and tribunals shall be guided by certain principles including that alternative forms of dispute resolution – such as reconciliation, mediation, arbitration and traditional dispute resolution mechanisms – shall be promoted. These should respect human rights, especially the rights of women, youth and people with disabilities.

Such restorative, or alternative justice systems - collectively called AJS - improve the community’s role in the administration of justice while ensuring that case backlog is curtailed at the source. In 2018, our PLEAD Baseline Study revealed that, largely due to the effectiveness of AJS, the backlog in North-Eastern Kenya was minimal.

In pursuit of these imperatives, the then Chief Justice of Kenya, the Hon. (Dr) Willy Mutunga, mandated the JTI to facilitate further convening and explore how the Judiciary could respond to the constitutional provision to mainstream traditional justice systems.

Under the leadership of Chairperson, the Hon. Justice (Professor) Joel Ngugi, and Vice Chairperson, Dr Steve Akoth, the Judiciary Taskforce on Traditional, Informal and Other Mechanisms Used to Access Justice in Kenya (AJS Taskforce) was subsequently appointed to examine the various traditional, informal and other mechanisms used to access justice in Kenya. The AJS Taskforce was also mandated to develop a policy to mainstream AJS mechanisms with a view to enhancing access to, and expeditious delivery of, justice providing for court-annexed cultural alternatives to mainstream justice processes in appropriate circumstances. Starting 2017, the Taskforce members traversed the country gathering information on how restorative, alternative systems were working and collected information for the policy.

During 2019, our team continued to support the AJS policy development. Our team provided technical advice to the Taskforce through an expert consultant. In recognising the importance of AJS to Kenyans and of promoting an inclusive process, we supported the publication of a public notice in The Daily Nation newspaper on 4 January calling for proposals and comments to be submitted to the Taskforce. The notice,
also promoted on social media, aimed to prompt citizens to share input on what they wanted the national AJS policy to contain.

In addition, we supported the Taskforce with staging six working retreats. The first Taskforce drafting committee meeting was held on 6 to 13 January where, among other items, the Taskforce discussed their work plan for developing the policy document for January to June 2019, and reviewed the information collected from their various field visits in 2017 and 2018.

In February, our team supported a meeting at which the Taskforce deliberated in detail on the structure and content of the policy and agreed to have a thorough, document that could be used in different fora, including academia.

The Taskforce also agreed to devise a simplified version of the policy for use by key stakeholders including judicial officers, Court Users’ Committees (CUCs) and the general public. Our team supported a two-day drafting retreat in Limuru, for a select team of drafters from the Taskforce which enabled them to commence the policy drafting process. This was followed by a full Taskforce retreat in April, where its members, a UNODC Expert Consultant and other members of our project team advanced the drafting process. Due to the heavy workload of key Taskforce members, the drafting process took longer than anticipated. Our team assisted with two additional working retreats (18 to 22 October and 27 to 28 September) in Naivasha.

In view of the preparations needed ahead of a planned national conference to launch the AJS policy in 2020, we engaged a Project Team Assistant consultant to provide dedicated administrative and logistical support to the Taskforce.

Also, in the final quarter, we assisted the Taskforce to stage two significant policy validation workshops – in Nanyuki and Eldoret. Additional input to refine the policy resulted from a roundtable seminar at Strathmore University in Nairobi hosted by the Taskforce and attended by experts from academia, judges, other criminal justice officers and Kenya National Council of Elders representatives. These validation events gleaned further suggestions on how AJS could be operationalized when solving disputes between people.

**International exposure for AJS**

The development of Kenya’s AJS policy was showcased at a side event we facilitated at the 28th Commission on Crime Prevention and Criminal Justice (CCPCJ) on 23 May in Vienna. The Commission acts as the principal policymaking body of the United Nations in the field of crime prevention and criminal justice.

Entitled ‘Alternative Justice Systems as a Framework for Increasing Access to Justice: Expanding Opportunities and Mitigating Challenges’, the side event was moderated by Ms Temesvari and attended by around 45 international delegates. The discussion explored the use of alternative justice systems to settle disputes and improve access to justice, focused on the Kenya and Rwanda experiences. It has served also as a critical discussion on sensitive issues, such as women and children’s rights and also as an learning experience for Kenya.

The panelists included Ms Kagwi-Ndungu, Justice Ngugi and the Chairperson of Wajir Peace and Development Agency, Mr Hussein Adan Mohamud, who shared their perspectives on the challenges and opportunities presented by AJS in Kenya, including how centuries-old informal mechanisms are reducing the burden on courts in marginalized areas. Their participation was enabled with EU financial support through PLEAD.
Section 2: Increasing quality and efficiency of criminal justice institutions

Our team delivers technical assistance to strengthen strategic planning and day-to-day service delivery at key criminal justice partner institutions.
During the reporting period, our team provided multifaceted support to ODPP to enhance its organizational and professional capacity. Through PLEAD, we provided far-reaching technical support, primarily for institutional change, development of key policy and guidelines, and sensitization efforts and continued to support the growth of the Prosecutors Training Institute (PTI).

**Supporting institutional change at ODPP**

Support for the Office’s institutional change aspirations evolved into a central part of our technical assistance in 2019. To meet ODPP’s specific needs, we engaged two international consultants with expertise in change management and business process engineering for criminal justice institutions. A key, initial action was to provide recommendations and a road map for institutional change. However, it became apparent that a mid-term review of ODPP’s 2016-2021 Strategic Plan would be a useful precursor, enabling ODPP to determine a clear vision for the strategies needed to achieve its mandate.

While the 2016-2021 plan was still in effect, significant changes had taken place since its development, with a corresponding impact on the Office’s strategic direction. These changed circumstances, and the strategies and measures adopted to counter them, were not captured in a single repository; instead they mostly rested with individual staff members. In light of this, ODPP decided that instead of revising the current strategic plan, the convention on the strategies and objectives of the Office would be contained in an Excellence Charter. This new Charter was intended to capture the vision and aspirations of the recently appointed Director of Public Prosecutions (DPP), Mr Noordin Haji, as well as ODPP staff – both legal and non-legal. It was also to take account of the DPP’s ambitious three-pillar transformative framework: re-learn, re-tool and re-cast (the ‘3Rs’).

The rationale for choosing the Excellence Charter was to break away from the formalistic approach of conventional strategic plans; which in turn is symbolic for the innovative approach adopted substantively by the Charter in terms of how to overcome the challenges faced by the Office, and equip it so that it may live up to its mandate.

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2 Additionally, a national expert consultant was recruited to provide a national expertise to the development of the Excellence Charter and to facilitate the data collection, furthermore a embedded national consultant facilitated the communication and the liaison with ODPP.
Our team supported an ODPP Strategic Planning Committee with drafting the Excellence Charter and an accompanying Road Map to Change containing the necessary initiatives to realise the strategic commitments contained in the Charter. These were built, inter alia, on concept notes our team drafted on how to optimise the potential of existing initiatives within ODPP, such as improving the PTI and its donor coordination mechanism.

The process of developing the Excellence Charter may be divided into four phases. The first phase, the inception of the change management intervention, focused on collecting and analysing multiple data sets. This included:

- Extensive review of documents and reports produced by ODPP
- Interviews with over 40 ODPP staff and other stakeholders
- Sampling of exit interviews of ODPP staff (five exit interviews per month over the previous 12 months)
- Administering of two confidential questionnaires (a mid-term review of the 2016-2021 strategic plan and a snapshot of organizational performance) at an ODPP Heads of Departments and Divisions meeting held from 30 June to 4 July 2019 in Mombasa (with 58 respondents)
- An organizational culture snapshot survey which was administered online in two parts - part one was aimed at ODPP managers (approximately 55 responses received); while part two was aimed at all staff members (approximately 300 responses received)
- An ODPP training needs assessment supported by UNODC under PLEAD which included 100 completed questionnaires and interviews conducted during visits to field offices in Mombasa, Naivasha, Nakuru, Eldoret, Kisumu, Wajir, Isiolo, Mandera and Lamu.

In addition, our business process expert studied the five key ODPP support functions – human resources, finance, procurement, ICT and case management – with a focus on their end-users. The aim was to better understand how these (non-legal) functions could be aligned to support the core (legal) prosecutions function and thereby a holistic and cohesive ODPP that lives up to its mandate. The study included individual and group interviews, and focus group workshops which were held in various ODPP field offices.

The evaluation of the data sets collected was assisted by diagnostic tools such as the McKinsey 7-S Framework, a gap analysis, a business impact analysis and a strengths, weaknesses, opportunities and threats (SWOT) analysis.

**ODPP Strategic Planning Conference**

Building on the organizational and strategic review framework established in phase one, ODPP held a Strategic Planning Conference in Naivasha from 26 to 30 August 2019, with our logistical and technical support. The conference was attended by approximately 100 ODPP staff, including senior management, Heads of Regions and Counties, and international experts. Its main objective was to gain insights from practitioners, both ODPP prosecutors and support staff as well as national and international experts, on the direction that ODPP should take to ensure that it lives up to its mandate. The direct participation in formulating the Office’s strategic vision was also meant to ensure ownership of the process by staff. The conference comprised two sections: a two-day thought leadership workshop and three days of intense strategic planning.

In order to motivate and stimulate participants to think critically about the Office’s role and future direction, the first section was framed as a thought leadership workshop. With the aim of making the workshop more visually engaging, we produced and premiered two videos about the state of prosecution in Kenya. One video offered opinions from people on the street about the role of ODPP while the other, entitled Beyond the Court: Diversion in Practice, was a case study of diversion used in an innovative way to de-escalate a tense situation where violence had broken out between two religious groups within the same community in Nairobi.

Thereafter, 13 national and international experts shared their experiences and insights on areas such as legal research, technology, building a cross-border...
Introduction

The third phase of developing the Excellence Charter involved the analysis and processing of the views of ODPP staff collected at the August conference. To support this exercise, we facilitated a small workshop at the United Nations Office in Nairobi from 22 to 24 October, which brought together three officers from the ODPP Planning Division, our change management consultants and other UNODC team members. Six commitments embodying the strategic vision of ODPP were formulated, along with a variety of activities aimed at their actualization. Together, the commitments and activities were presented as a draft Excellence Charter and Road Map for Change.

The final phase involved the internalization of the Excellence Charter by the ODPP Strategic Planning Committee. For this purpose, a workshop was held from 3 to 5 December in Naivasha, which was attended by 15 ODPP staff, including the committee members and officers of the ODPP Planning Division. A draft of the Excellence Charter was thoroughly scrutinised by the committee members and a revised draft was fashioned. This also marked a shift in the process, as the role of ‘penholder’ was transferred from our team to the Strategic Planning Committee.

The Excellence Charter is set to be validated in 2020. In addition to providing strategic direction to ODPP, the Charter will guide the implementation of an associated PLEAD intervention on change management for ODPP aimed at enhancing its institutional capacity.

Promoting innovation: Legal Hackathon

The Strategic Planning Conference featured a Legal Hackathon - or legal technology innovation competition - for ODPP officers which we helped to deliver. The hackathon, a first for the ODPP, challenged participants to come up with innovative solutions to issues facing the institution. We assisted ODPP with this in-house competition as part of our capacity building support to enable their staff to contribute to realising the transformative potential of their Excellence Charter.

The challenge series featured the following five categories: traffic; case management; diversion; future crimes and data challenge. The participants were
divided into teams for brainstorming, focused on ways to use design thinking to solve their specific issue. Each team then gave a three-minute presentation before a panel of judges.

Two teams were selected as finalists. Their topics were tackling crimes of the future and re-imagining a fair and efficient traffic violations system. We facilitated a follow-up capacity building workshop for these teams in Nairobi from 18 to 21 November. This workshop included a session presented by Kenya Lawyers Hub on digital forensic and cyber-based evidence, and lectures by Safaricom staff on aspects of telecommunications with respect to commission of offences and criminal investigations, including cybersecurity, anti-money laundering and data protection. The two teams also received further training on design thinking and further developed their ideas and solutions under the guidance of instructors.

The teams will compete in a hackathon final in 2020, for the prize of a sponsored trip to Baltimore, USA. In Baltimore, the winning team will be hosted by the State Prosecutor and visit a progressive prosecution office to observe best practices and interact with local practitioners. Furthermore, the winning team is due to attend a ‘Fair and Just Prosecutions’ meeting, a convening of around 20 to 30 leading prosecutors from across the USA to discuss best practices in their respective jurisdictions.

**National Prosecution Service Convention**

In 2020, one option under consideration is to organize the hackathon final in the framework of the National Prosecution Service Convention and to use the opportunity to launch the Excellence Charter. Section 51 of the Office of the Director of Public Prosecutions Act 2013 prescribes that the DPP may direct the convening of an annual National Prosecution Service Convention. Subsection 2 of the provision states that the convention shall meet and discuss strategic issues involved in prosecution for the purposes of improving the standards of prosecution and service delivery. A convention has not been convened for several years. The conclusion of the ODPP Excellence Charter provides an ideal opportunity to resume this practice.

This would entail bringing together as many ODPP staff as possible in one venue for several days where they would familiarize themselves with the Excellence Charter and its transformative potential. The scale of such an event would be symbolic, as it would highlight the importance of the Charter for the future of the Office. In addition to launching the Excellence Charter, the convention would be a useful forum for further sensitizing prosecutors on innovations supported by PLEAD, such as diversion and plea bargaining. Its sessions could also include working groups to advance ongoing interventions such as the proposed traffic guidelines and new curriculum for prosecutors. The DPP would also have the opportunity to advance other strategic issues, as having all staff assembled in one location would remove internal communication barriers that currently hamper his Office.

Incorporating the Hackathon final would further highlight ODPP’s commitment to embrace innovation: a key component of its Excellence Charter. The judging panel could comprise the DPP, EU Ambassador, UNODC Regional Representative and a senior judge. (The Convention was intended to take place early 2020 but plans had to be put on hold due to the COVID-19 pandemic which has led to the postponement of meetings and workshops).
Supporting the fight against corruption

In 2019, the ODPP prioritised a zero-tolerance policy on the fight against corruption. The Excellence Charter includes a commitment to reshape prosecutions to end impunity. This is to be achieved through various activities which will equip the Office to handle large and complex cases, such as large-scale corruption cases. In the context of the Charter’s development and associated review of ODPP business process, the DPP requested technical assistance for the prosecution of high profile, high impact cases; establishment of specialized anti-corruption units and teams, and recovery of assets that had been acquired through corruption. Following deliberations between UNODC, ODPP and the EU, a concept note was developed. In response, the engagement of a consulting firm to support the technical capacity of ODPP to handle high-level corruption cases as well as recover assets is planned for 2020. Additionally, the engagement of a senior mentor is proposed.

In this context, PLEAD funding supported the travel of two ODPP senior officers who accompanied the DPP to the 24th Annual Conference of the International Association of Prosecutors (IAP) in Argentina (held 15 to 19 September) to participate in a session on anti-corruption where the anti-corruption strategies employed in Kenya by ODPP were presented. This conference also facilitated networking opportunities which may be utilized, inter alia, for asset recovery and Mutual Legal Assistance. Our team facilitated several bilateral meetings for the DPP during the conference. In a similar vein, PLEAD supported the participation of a prosecutor in a training of trainers’ (ToT) workshop on corruption and its link with sustainable development through good practices and challenges in Rwanda.

Furthermore, the hackathon supported the capacity of ODPP staff to devise innovative solutions to challenges prosecutors face in practice, for example including the handling of corruption in traffic cases.

Strengthening the Prosecutors Training Institute

Indicator: Increase in number of ODPP prosecutors taken through structured professional training

Our support to the PTI was aimed at enhancing the technical capacity of prosecutors through delivery of comprehensive and continuous capacity building, thereby enhancing the quality and efficiency of ODPP prosecutions. In this regard, during the first quarter of 2019, representatives of ODPP and our team undertook three assessment missions in the PLEAD focal counties to consult ODPP officers about their training needs as part of a comprehensive training needs assessment (TNA).
In this regard, on 28 to 29 January, two teams travelled to Lamu and Mandera, and from 30 January to 1 February 2019, a team travelled to Isiolo to hold interviews and administer questionnaires to the ODPP representatives in those regions.

Based on the information provided, UNODC, through our technical advisor and working closely with the PTI Committee, drafted a comprehensive TNA report. An internal validation held on 10 April engaged 23 senior managers. Our team then supported ODPP with the TNA report’s design and layout.

Correspondingly, and to provide a road map and framework for the development of the ODPP curriculum, UNODC engaged a short-term curriculum developer consultant to support the development of the ODPP Policy Framework. A workshop of ODPP and UNODC representatives, including 10 PTI committee members, was held on 2 to 3 May to develop the draft framework, where participated. The framework was subsequently validated on 13 August, with online versions of the document circulated to the ODPP workforce.

In the fourth quarter, our team engaged two expert consultants to support ODPP in developing a comprehensive training curriculum, to comprise induction, thematic and continuous training programmes for prosecutors. As at December, our team, in consultation with the PTI, had developed the draft Foundations in Prosecution Course, which comprises 14 modules. The draft will be subjected to internal and external consultations in the first quarter of 2020. Development of the thematic and continuous programmes is due to be finalized in the first half of 2020.

During the reporting period, PLEAD funding supported the training of 113 ODPP staff on diversion and plea bargaining. Of these, 75 senior officers underwent ToT sessions. A further 10 prosecutors (from Eldoret, Lower Coast and Nakuru) were trained under the CUCs platform.

Indicator: Type and number of equipment procured

Enabling wider use of diversion and plea bargaining

The Office of the Director of Public Prosecutions wishes to convey its sincere appreciation to UNODC for the partnership and provision of expert assistance and guidance throughout the development process and production of the Diversion Policy. A first for Kenya, this policy enables prosecutors to divert cases from the court process and allow matters to be settled out of court, on merit and through agreed structures.

Mr Noordin Haji,
CBS, OGW, Director of Public Prosecutions

OUTPUT 2.2: DIVERSION POLICY AND GUIDELINES DEVELOPED AND OPERATIONALIZED

Indicator: Diversion Policy adopted
Indicator: Diversion Guidelines adopted
Indicator: Plea Bargaining Guidelines adopted
Indicator: Increase in number of offenders who plea bargain

Diversion and plea bargaining are alternatives to prosecution. Diversion is a process for resolving criminal cases without resort to full judicial proceedings. Diversion can take the form of a simple caution or warning, an apology to the victim, payment for damage done, or it may involve referral to a structured diversion programme, restorative justice process or similar scheme. This enables offenders to be dealt with by non-judicial bodies, thereby avoiding the negative effects of formal judicial proceedings, a criminal conviction and a criminal record.
Plea bargaining allows for expedited trials, enhancing efficiency within the criminal justice sector. It is a negotiated agreement between an accused person(s) and the prosecutor where the accused agrees to plead guilty for a criminal offence in exchange for an agreement by the prosecutor to drop one or more charges, reduce a charge to a less serious offence, or recommend to the judge a specific sentence.

Diversion is not expressly provided for under Kenyan criminal legislation yet it is provided for under Articles 157 and 159 of the Constitution 2010, and under national legislation, including the Children Act and the Mental Health Act. In addition, the National Prosecution Policy, read alongside the General Prosecution Guidelines 2015, provides guidance to prosecutors on matters relating to diversion.

In 2018, UNODC provided technical support to ODPP for the development of the Diversion Policy and Explanatory Notes as well as Plea Bargaining Guidelines. These documents were validated on 14 February 2019.

During this reporting period, our team subsequently provided considerable assistance to ODPP support the launch and adoption of these documents which and are now in operation. This included support for formal training and sensitization of ODPP officers, other justice sector actors, the media and citizens.

We engaged the services of an illustrator to support the development of illustrations on diversion and plea bargaining that were informative and visually appealing. In this regard, more than 30 illustrations were produced to explain diversion and plea bargaining to a wide audience, with accompanying text in English and Swahili.

To enhance the understanding of diversion and plea bargaining to both practitioners and the public, our team supported the development of English and Swahili versions of IEC materials, including fact sheets, posters, banners and case studies. For the main plea bargaining guidelines publication and IEC materials, we collaborated with USDoJ alongside ODPP. The developed illustrations were creatively incorporated into a suite of IEC materials and display banners that our team facilitated the production of (see table overleaf).
These products were put to immediate use in various training and sensitization sessions.

The diversion and plea bargaining publications were first piloted during a PLEAD-funded service week held in Lamu from 18 to 22 March. Prior to the service week, a CUC meeting co-funded by PLEAD took place in Lamu on 11 to 12 March, where the CUC members were sensitized on diversion and plea bargaining and the service week’s objectives.

During the service week, ODPP worked closely with the Judiciary and other actors to actively apply the Diversion Policy and associated Guidelines, and the Plea Bargaining Guidelines, with the aim of fast-tracking the disposal of cases and decongesting the prisons. Additional judges of the High Court, prosecutors and officers from WPA, PACS, USDoJ, non-governmental organizations (NGGOs) and UNODC arrived in Lamu to reinforce local teams.

Our team provided significant logistical support to ODPP for the event, including procurement, travel, publishing and conferencing services, as well as practical support on-site throughout the week. We also helped ODPP to promote their event internationally, for example by producing a video and through coverage on the UN Kiswahili radio and online news service, Umoja wa Mataifa. (See also Communications and Visibility section).

ODPP adopted the ToT model to build the capacity of prosecutors and other criminal justice actors on diversion and plea bargaining. To this end, a ToT session was undertaken from 20 to 23 August in Naivasha. The 75 participants included ODPP Regional and County Heads from across the country and Departmental and Division heads from headquarters who were identified as champions and trainers. The workshop included a presentation by our team on how to plan and implement a local sensitization campaign.

Our team subsequently supported two, major targeted week-long trainings of practitioners within the justice sector and sensitization of the media and citizens, including remandees. These were organized in clusters whereby the sensitization week in Mombasa in October drew participants from five neighbouring counties, and the event in Wajir in November also attracted officers from neighbouring areas. Sensitization of local media on diversion and plea bargaining was an important objective to improve accurate coverage of these measures, and our team was pleased to assist ODPP with media liaison to promote both week-long events.

Additionally, EU funding through PLEAD supported a media briefing breakfast focused on diversion and plea bargaining hosted by the DPP in Nairobi on 15 October. This served as the media launch of their new policy, guidelines and explanatory notes and provided an important opportunity to inform journalists about the benefits of these alternatives to imprisonment.

**Case management system**

**OUTPUT 2.4: A COMPREHENSIVE CASE MANAGEMENT SYSTEM DEVELOPED AND OPERATIONALIZED**

- **Indicator: ODPP Case management system developed**
- **Indicator: ODPP Case management system piloted in selected focal counties**
As part of change management support for ODPP, our team also conducted a feasibility study on a comprehensive case management system. The study is due to be finalized in the first quarter of 2020.

There are also various partners who were currently working on certain aspect of a case management system. Lawyers Without Borders was supporting a pilot of electronic case management, while USDoJ was supporting the digitalization of central intake of cases. The development of a case management system is very costly and in the past several pilots have failed. Our team will await the outcome of the work of USDoJ and Lawyers Without Borders before determining next steps.

Further institutional support for ODPP

In tandem with Excellence Charter’s development, our organizational support included a review of ODPP’s Complaints and Compliments Division and support to the ODPP Inspectorate. As part of our support to the Inspectorate, our change management consultants attended meetings and provided guidance on its operationalization. As part of the ODPP’s commitment to independence and integrity under their Charter, it is proposed to establish an ODPP Ombudsman Office which will overtake the function of both the Inspectorate and the Complaints and Compliments Division. An effective handling of complaints and issues of integrity, including reactions to individual problems and necessary policy adjustments, are viewed as critical for ODPP to adhere to its duties and responsibilities under the 2010 Constitution.

To provide coordinated support to ODPP by development partners, three donor meetings were held during the reporting period. The DPP also called for a meeting on 27 June where key priorities within his Officer were presented to development partners and other agencies. The DPP emphasized the need for development partners to harmonize their support and enhance collaboration, which that would in turn improve ODPP’s organizational and professional capacity.

To meet immediate equipment needs, in the first quarter, we procured two laptops for the ODPP Lamu office to enhance the operational capacity of their team with a specific focus on facilitating Lamu Service Week. Further procurement will be informed by our team’s full-scale equipment needs assessment in 2020.

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<th>Product</th>
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Witness Protection Agency

**OUTPUT 2.5: CAPACITY OF THE WITNESS PROTECTION AGENCY ENHANCED**

- **Indicator:** WPA’s SOPs and organizational policies are in line with international standards and the WPA Act 2016 and strategic plan developed

- **Indicator:** Percentage increase in number of witnesses receiving protection annually

> The Agency was able to position itself strategically in its operational environment and meet expectations of its diverse stakeholder segments. The support from UNODC ensured that expected outcomes were delivered in the wider justice law and order sector while aligning itself to the overall national development agenda. Specifically, UNODC supported the Agency in development of policies, training curriculum and sensitization and training of WPA staff on matters witness protection. Through PLEAD, the Agency produced various IEC materials and participated in criminal justice system forums that enabled the Agency to create awareness.

> Mrs Alice Ondieki, Director/Chief Executive, WPA

- **Indicator 2:** Existence of WPA training curriculum and programme

- **Indicator:** Number of protection officers receiving trainings in accordance with the developed training curriculum and programme

**Building the institutional capacity of WPA**

According to WPA, the greatest impact of its intervention is felt in transnational organized crime, such as terrorism. For this reason, WPA had previously partnered with UNODC’s Transnational Organized Crime team and received technical assistance through the EU-funded Better Migration Management Programme. During the reporting period, our team’s support to WPA through PLEAD built upon the existing positive working relationship between our organizations.

Consultations with WPA for its 2018 Baseline Study established that trainings within the Agency were not adequately structured to enhance professional development. To this end, a priority area of PLEAD aimed to support the finalization and implementation of the draft WPA Curriculum.

To this end, our team supported a workshop on 17 to 19 July, attended by WPA officers and three technical curriculum developers from the Kenya Institute on Curriculum Development. The outcome was an updated curriculum which complied with national curriculum standards.

We also supported an intensive induction training for newly recruited WPA staff, held in Nairobi from 1 to 5 July. The training objective was to impart operational knowledge, competencies and witness protection skills as part of building the WPA’s institutional capacity. The legal framework governing the WPA in Kenya, basic intelligence, operations and covert operations, national security issues, finance, human resources and procurement were among other topics covered with the 48 participants.

**Supporting the development of Standard Operating Procedures**

In the third and fourth quarters, we provided technical support for WPA to standardize its procedures. This entailed support for the drafting of 19 Standard Operating Procedures (SOPs) related to witness management, finances and other operational issues.

Extensive consultations were held with the WPA workforce, both in Nairobi and its regional offices of Mombasa and Kisumu, with support from a witness protection expert consultant we engaged for this purpose. We supported two consultative workshops, from 13 to 15 August and 18 to 21 November. Being internal documents, the SOPs were validated by 39 WPA representatives led by their Director, Mrs Ondieki,
by the end of November. Mrs Ondieki emphasized that the SOPs must be strictly followed by WPA staff to bring uniformity in their work.

Some of the SOPs finalized include: Admission into Witness Protection; Procedure for Relocation; Procedure for Court Attendance; Procedure for Discharge; Procedure for Termination and Suspension; Security Management of Assets; Staff Security; Vetting of Staff and Vetting of Suppliers of Goods and Services. In particular, the SOPs on Admission into Witness Protection and Vetting of Witness provide guidance to the WPA in ensuring that witnesses who are under threat are provided with security, irrespective of their background. The SOPs provide for a risk assessment to be conducted, whereby the witness is assessed and a report submitted based on a number of factors including financial, employment, children and education status.

The SOP on Procurement of Safe Houses will guide WPA on acquiring safe houses for witnesses who may be exposed based on their current living conditions, and this will greatly benefit witnesses living in informal settlements. Additional SOPs on Payment of Witnesses Monthly Allowances and Payment of School Fees have been adopted to alleviate any financial hardship that may be caused to the witness or his/her family.

**Equipping WPA offices**

**Indicator: Number of key witness protection equipment procured**

The WPA is unable to employ advanced witness protection measures, partly due to a lack of fit-for-purpose equipment. In July, we engaged a witness protection expert to undertake an equipment needs assessment with WPA to determine their main needs, building on the 2018 Baseline Study findings.

Based on the report and the identified priorities, our team commenced the procurement of three four-wheel drive vehicles, due to be delivered in 2020. Further equipment will be procured in the first half of 2020.

**Raising awareness of the WPA mandate**

Witness protection is recognised as a fundamental, constitutional right to any witness who has been threatened for cooperating with law enforcement agencies. Moreover, the successful operation of the
Witness Protection Programme is recognised as providing a unique tool in the government’s battle against serious crime.

WPA operates in a covert manner which creates challenges for its external communication. Yet it is imperative that the Agency’s mandate and functions are known, and that clear information is available explaining how people may access their services. During 2019, we provided ad hoc advice on their communication strategy and practical support to implement communication actions.

WPA had an active outreach programme but had depleted its stocks of IEC materials and branded clothing, so they sought assistance through PLEAD to fund the design and production of display products, key IEC materials and shirts. Early in the design process of IEC materials, it was clear WPA would benefit from obtaining compelling photographs to use in its materials that would help tell the story of the Agency’s work and achievements. Through PLEAD, we engaged a professional photographer who visited various locations, including Milimani Law Courts, the WPA Kisumu Regional Office and Nakuru County. The photographer worked closely with WPA officers and the result was a library of over 120 photographs, some of which were then used in a redesign of the WPA Service Charter. The missions undertaken by our team’s photographer involved collaboration with PACS.

To increase WPA’s range of information available in Kiswahili, we facilitated the translation of content for display banners, a flier and frequently asked questions booklet. Further products are due to be finalized in 2020.

Throughout the reporting period, in consultation with WPA, we posted information on our PLEAD website about our partnership with WPA and on our social media accounts to help highlight the Agency’s work.

I feel protected

I celebrate myself, and sing for myself,
And what I assume you shall assume,
The risks and danger that I faced,
For witnessing a heinous crime,
But all that is now a mirage,
I feel protected.

Thanks to the Witness Protection Programme,
For providing solace and a safe haven for me,
I was under threat, tormented by those criminals,
But all that is now a mirage,
I feel protected.

I eat well, I sleep well,
My family is safe and secure,
I breathe the air of hope without despair,
They planned to kill me, they can never get me
But all that is now a mirage,
I feel protected.

I wait in earnest for the testimony day,
To tell the court what I saw, on the fateful day,
I feel bad for the victim, he didn’t deserve to die like that,
I pray for justice to be done, for those bad people to be punished,
They thought they will defeat the justice system,
But all that is now a mirage,
I feel protected.

Thank you, Witness Protection Agency,
You took me with open arms, when my life was in danger,
You assured me of my safety, when I felt cornered
And I know that the hand of God is the promise of my own,
That after all is done,
I will be re-integrated back to a safe environment
But all that is now a mirage,
I feel protected.

Poem by a protected witness
(name withheld for privacy reasons)
Provided by WPA in the PLEAD Verdict newsletter, December 2019
<table>
<thead>
<tr>
<th>Product</th>
<th>Language</th>
<th>Quantity</th>
</tr>
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<tr>
<td>WPA Service Charter booklet</td>
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<tr>
<td>WPA roll-up banners</td>
<td>Swahili</td>
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<tr>
<td>WPA roll-up banners</td>
<td>English</td>
<td>2</td>
</tr>
<tr>
<td>WPA teardrop banners</td>
<td>English</td>
<td>4</td>
</tr>
<tr>
<td>WPA poster: Are you a threatened witness?</td>
<td>English</td>
<td>2,000</td>
</tr>
</tbody>
</table>

Additionally, similar to our team’s intervention with ODPP, we engaged with PACS to support organizational restructuring and business process re-engineering aimed at enhancing the department’s performance in managing and supervising alternative sanctions and carrying out its other mandated responsibilities.

This commenced with an assessment which involved conducting interviews with more than 200 probation officers during missions to focal counties. Our team also assisted PACS in reviewing and administering an online questionnaire to 405 probation officers. The assessment’s findings and recommendations are due to be presented during the first quarter of 2020. Note that as the adoption of the department’s strategic plan was delayed by the Principal Secretary for Correctional Services, initial recommendations from the blueprint are due to be incorporated as feasible in early 2020.

The expected outcome is for PACS to have a blueprint of recommendations accompanied by an implementation road map that will lead to a modernized, fully-functioning department with a strong strategic focus, clear roles, technical specialization and division of labour as well as solid internal communication protocols that will enable the department to carry out its functions more efficiently and effectively.

Supporting strategy and institutional change

Between January and May, our team provided technical advice to assist PACS in the final stages of developing its strategic plan for 2018-2022. At a PLEAD-supported workshop in Naivasha on 5 to 8 February, 25 participants from PACS and UNODC contributed to a detailed review of the department’s strategic vision, priorities and key result areas, and refined the existing strategy document. As one example, our team’s input led to a dedicated result area to strengthen communication and reporting at PACS.

The treatment of children and youth offenders in Kenya was modelled on the criminal justice system as established during the colonial era. It was therefore largely retributive without a deliberate strategy appreciating and addressing the unique needs of this group of offenders. However, there were reforms particularly following the enactment of the Children Act that had begun to gradually shift the discourse and practice from retributive to restorative justice.
Research conducted in 2018 by the Department of Children Services, with support from UNODC, revealed that the agencies handling child offenders had adopted many practices and programmes that were geared towards rehabilitation of child offenders. However, these practices and programmes were not uniformly implemented across the justice system and did not adequately meet the required threshold. The research further noted that gaps and practices undermined the overall objective of rehabilitation. Of particular concern was the lack of a clear, common strategy for dealing with children and youth offender for use by all agencies.

Against this background, our team worked with PACS to initiate the development of a Juvenile and Youth Justice Strategy intended to provide a policy approach that holistically addresses the issues affecting juveniles and youths already in conflict with the law, and to prevent others from getting into conflict with law. The proposed approach involved a collaborative framework with stakeholders and partners, including both state and non-state actors.

Further to this strategy, our team also supported a review of Throughcare Procedures. Throughcare is the process of continuous supervision and support provided to a child in the juvenile justice system by means of institutional and community-based treatment and rehabilitation and provides support through aftercare from public and private sector agencies in order to facilitate the child’s reintegration into the society.

By the end of 2019, field work for a situational analysis had so far been carried out in Mombasa, Nairobi and Nakuru. Consultations for the situational analysis in the remaining counties of Machakos, Nyeri, Uasin Gishu, Kakamega, Kisumu and Garissa are expected to be completed in the first quarter of 2020, as well as the validation of findings and recommendations of the situation analysis. The development of the Juvenile and Youth Justice Strategy and revision of the Throughcare procedures are planned for the first half of 2020.

**Assistance for emerging areas of supervision**

In response to various challenges related to bail and pre-trial release – especially those stemming from high risk offenders – PLEAD supported the development of a policy on an Intensive Supervision Programme and Electronic Monitoring and a Bail Supervision Policy Framework. In combination, these policies will support the right of accused persons to be released on bail as provided under Article 49(1)(h) of the Constitution 2010 and, as a consequence, contribute to reduced use of pre-trial detention. Bail supervision had already been
envisioned by paragraph 5(4) of the Bail and Bond Policy Guidelines 2015.

Additionally, the use of suitable, proportionate and effective measures to supervise accused persons will help increase public confidence in the criminal justice system and the acceptance of accused persons remaining in the community while awaiting trial.

In quarter one, our team supported key PACS workshops, commencing with a validation workshop on the Bail Supervision Policy Framework on 26 February. This was followed by a validation workshop for the policy on Intensive Supervision Programme and Electronic Monitoring on 27 February. Various stakeholders, including the National Police Service, the Judiciary, Department of Children Services, Kenya Prisons Service and Civil Society Organizations, were invited to contribute. The inputs received were incorporated into the finalization of both instruments.

To better equip PACS to counter challenges related to violent extremism, PLEAD supported a workshop to develop data capture tools on such cases, held from 29 to 31 January. To ensure the inclusion of necessary expertise, the workshop included an officer of the Kenya National Bureau for Statistics (KNBS). Correspondingly, the workshop included presentations on the Prevention of Terrorism Act, data monitoring and reporting, the National Strategy on Countering Violent Extremism and on the determination or identification of countering violent extremism data variables.

Two data capturing templates were developed as a result of the workshop which will assist in developing and strengthening the capacity of probation officers to identify violent extremism cases, including the design of a framework for accountability for violent extremist offenders. This will also likely assist in effective planning of countering violent extremism campaigns. (See Section 3 for more on inter-agency data collection).

Development of curricula and training guides

In 2019, our team supported the department with two comprehensive TNAs: for probation officers and Community Probation Volunteers (CPVs). (Note that CPVs were formerly called Volunteer Probation Officers). The purpose of these needs assessments was to provide a solid foundation to inform the development of curricula and training guides for probation officers and CPVs. For this, we engaged international expert consultants who worked closely with PACS.
Field work for the probation officers’ TNA was conducted in the PLEAD focal counties of Isiolo, Marsabit, Nyeri, Wajir, Mombasa, Kisumu, Busia, Kakamega, Eldoret, Baringo, Nairobi and Machakos. Meanwhile, our team also supported missions to Nakuru, Lamu, Mombasa and Nairobi for the CVPs’ assessment. More than 120 probation officers and 12 CPVs were interviewed or participated by responding to a questionnaire.

Our team also assisted with consultation meetings held in various probation institutions, including hostels, a community crime prevention centre with vocational support, a probation training centre, and a community centre providing post-prison vocational support. Station-area interviews with stakeholders including magistrates, public prosecutors and other stakeholders such as NGOs and faith organizations, provided further valuable insights. To ensure full ownership of the assessment, we supported validation with senior PACS representatives and selected key stakeholders.

Each training curriculum and guide was drafted by a dedicated committee with technical and logistical assistance from the respective expert consultants and other members of our team. A key aspect when considering the scope of the curricula was sustainability: balancing the training needs as well as the available resources of PACS to conduct capacity building for its staff without donor support.

Drafting meetings to firstly validate the CPV training assessment and then develop the CPV curriculum and training manual took place from 12 to 17 August in Machakos and from 10 to 14 November in Naivasha.

For probation officers, PACS decided to begin by developing the curriculum for induction and refresher course. The committee held its first session from 4 to 6 September and, following validation of the TNA for probation officers, completed the draft training curriculum which is planned for validation during the first quarter of 2020. The training manual for POs is planned to be developed and validated during the first quarter of 2020.

Our team subsequently assisted PACS with the design and layout of each TNA report.

Upskilling PACS officers

Capacity building on bail supervision

The Bail Information Report is a tool to assist in bail administration in court and to decongest penal facilities. Based on this, our team supported PACS to conduct the training and sensitization of probation officers in Nakuru, Mombasa and Garissa during April, and in Nairobi, Kisumu and Eldoret during May. The training was aimed at increasing the officers’ work performance related to bail work (especially for serious offences) and creating awareness of new provisions in law and practice, thereby improving the quality and timeliness of Bail Information Reports. Altogether 125 probation officers were successfully trained.

Performance Management System training

The performance appraisal process provides a mechanism for employees to contribute to the achievement of organizational objectives. The training of 47 probation officers on the department’s performance appraisal system was delivered in two groups: from 21 to 24 May and from 28 to 31 May. The trainers were drawn from the State Department of Correctional Services, Public Service Commission and PACS. This PLEAD-supported activity contributed to the realization of all strategic objectives and activities stipulated in the department’s draft PACS strategic plan as their implementation must be cascaded to individual performance levels.
The trained officers would form the core staff performance appraisal system - "champions" - and would also be expected to assist other officers in their areas of jurisdiction in setting targets that are aligned to the departmental strategic objectives, performance contract targets, uploading and evaluation of performance in Government Human Resource Information System (GHRIS) Platform for effective service delivery.

### Capacity building on community service orders

Between August and December 2019, a total of 316 Probation Officers and Community Service Officers were trained on various aspects of the Community Service Orders (CSO) Act. This represented one quarter of all participants who benefited from PLEAD-supported trainings in 2019.

The objective was to increase the capability of PACS officers to implement the Community Service Orders Programme with the ultimate goal of improving the level of supervision and contributing to reducing the burden on the nation’s over-stretched prisons. CSO training workshops took place in Kisumu, Nakuru, Mombasa and Nairobi. Complementing this, magistrates were also trained in the effective use and management of the CSO Programme, supported through PLEAD.

### Integrity assurance training

In quarter four, our team was also pleased to support PACS training for probation officers on integrity assurance. This was conducted in partnership with the National Integrity and Anti-Corruption Academy (NIAca) which provided training experts. The main objective was to strengthen anti-corruption and integrity efforts in the department among probation officers through building their requisite knowledge, skills and competencies. A total of 63 probation officers were successfully trained during two sessions, held from 7 to 11 October and 14 to 18 October. These trainees are expected to be tasked with managing Integrity Committees within their respective counties, established by PACS.

### Putting training into practice in Uasin Gishu County

Probation officers oversee the rehabilitation and supervision of offenders who must perform community service work directed by the court. They also work with victims of crime and the public to ensure public safety. Examples of community service work include tree planting, road construction and cleaning public parks.

Ms Irene Yegon and Ms Rebecca Lomuria were among the probation officers who participated in the PLEAD-supported CSOs training in Eldoret in October.

Describing the training as enlightening, Ms Yegon explained the immediate impact it had on her role. “I’ve actually been practicing everything that we learned. A week after the training, I started putting the recommendation period in our reports, giving a guideline to the magistrate on the period that an
offender should serve community service orders, and also indicating the kind of work that is done at the sites. It actually improves the quality of our work because, as a probation officer, once I come up with a treatment plan for the offender, that period is what’s going to guide me,” Ms Yegon said.

For Ms Lomuria, one notable benefit was understanding the key factors to consider. “It’s now better when considering the reasons why you are placing a person on Community Service Orders, confirming the work agents and liaising with supervising agents at the institutions where you are placing this person. The other factors that you should consider are the age factor, the distance to the site so it will not strain this person, and the tangible CSO projects on-the-ground. We’ve really applied much from the training.”

**Equipping PACS offices**

**OUTPUT 2.7: OPERATIONAL CAPACITY OF PACS ENHANCED**

- **Indicator:** Improved quality and timely submission of reports by POs to courts and other penal institutions
- **Indicator:** Number of equipment procured

Our Baseline Study recommended that key equipment should be procured for national partners, including vehicles and computers for PACS. This was in response to the inadequate number of vehicles and other equipment needed to enable probation officers to effectively deliver the department’s mandate, including surveillance, generation of case reports for court use and the supervision of court orders.

The department’s need for vehicles was widely documented. In particular, the following list of 12 PACS field offices in the PLEAD focal counties were without vehicles: Garsen (Tana-River County), Isiolo, Lamu, Mandera, Mariakani (Mombasa County), Marsabit, Moyale, Mpeketoni (Lamu County), Muhoroni (Kisumu County), Nyando (Kisumu County), Wajir. Winam (Kisumu County).

Our team planned to conduct a major equipment needs assessment for our PLEAD national partners during the reporting period. However, for reasons beyond our control, there were significant delays, and this assessment will instead be conducted in 2020. Against this background, our team procured and handed over 42 desktop computers, 29 laptops and 12 computer monitors to PACS in July for immediate use at selected offices within the focal counties. This vital equipment was intended to improve the quality of reports and their timely submission by PACS to relevant institutions, thereby overcoming a perennial challenge the department had faced. A further consignment of 30 monitors and 27 printers will be procured and handed over to PACS during the first quarter of 2020.

We supported PACS to print 1,440 requisite case ledgers which were delivered to the department in October. These ledgers will enable the department to keep up-to-date records of all offenders and work done in accordance with the department’s mandate, and in soft and hard copies for ease of reference and retrieval in accordance with the Public Archives and Documentation Service Act (2015).

In the fourth quarter, our team also initiated the procurement of 12 vehicles for PACS, again made possible with EU funding through PLEAD. The vehicles are due to be delivered in the first half of 2020.

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6 E.g. 2012 UNODC report ‘A Second Chance - Alternatives to Imprisonment and the Social Reintegration of Offenders in Kenya’ or Criminal Justice System in Kenya: An Audit – Understanding pre-trial detention in respect to case flow management and conditions of detention’
PACS: Strategic communications support

OUTPUT 2.8: VISIBILITY OF PACS ENHANCED

Indicator: Communication strategy developed

In 2019, the department made notable progress in building a distinct brand identity having introduced a logo, new acronym ‘PACS’ and corporate colour scheme. In May, the department also opened a Twitter account (@ProbationKE). These steps were informed by lessons learnt during implementation of the department’s previous strategic plan and articulated in two strategic planning documents: Probation Communication Policy Guidelines and a PACS communication strategy.

Our team provided input into the Probation Communication Policy Guidelines, an internal framework aimed at promoting effective communication within PACS and externally by outlining the principles and guidelines that would enhance information flow. The document also directly addressed communication challenges that had affected the department’s service delivery.

Our team was also pleased to help refine the communication strategy which was designed in support of the department’s new strategic plan. The communication strategy set out how PACS would build on its strengths and overcome weaknesses by being more proactive and using new tactics to achieve breakthroughs in awareness of its services and support for its work. PACS decided to combine the policy guidelines and strategy into one document, and our team agreed to support aspects of implementation, including video production and photography.

In the third and fourth quarters, in tandem with photographic support for WPA, our commissioned photographer travelled to Machakos, Kisumu and Mombasa counties with PACS officers to gather over 300 images of PACS facilities, staff and clients. Our team then supported PACS to incorporate many of the photographs into a 2020 poster calendar and desktop calendar. However, their production was delayed following internal issues within the Ministry of Interior and Coordination of National Government over use of PACS branding. This issue interrupted the momentum the department had achieved in raising its visibility and awareness of its mandate. It also contributed to delays with our assistance for the production of a PACS corporate video, documentary and display banners, which were pushed to 2020.

Indicator 2: Increased number of public awareness and community outreach programmes (advocacy activities) undertaken in focal counties

Our team supported the participation of PACS in a national bail and bond sensitization campaign, originally planned for May but postponed following an extension to the term of the NCAJ committee overseeing bail and bond implementation. This included supporting the design and printing of a PACS Bail and Bond Charter poster.

Throughout the reporting period, UNODC posted social media content related to support for PACS through PLEAD.

In July, we saluted the work of PACS in a Daily Nation opinion piece by Mr de Andrés prepared to mark World Youth Skills Day.

Additionally, planning commenced on a proposed major public awareness initiative for 2020 based around a joint PACS-EU-UNODC art competition.
Table: Products produced for PACS in 2019

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<thead>
<tr>
<th>Product</th>
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<tr>
<td>Case ledgers</td>
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</tr>
<tr>
<td>Reprint of Guidelines to the Staff Performance Appraisal System in the Public Service</td>
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<tr>
<td>(Validation version) Training Needs Assessment Report: Probation Officers</td>
<td>English</td>
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</tr>
<tr>
<td>(Validation version) Training Needs Assessment Report: Voluntary Probation Officers</td>
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OUTPUT 2.9: IMPROVED REINTEGRATION OF RELEASED OFFENDERS BY PACS

- Indicator: Increased number of offenders going through an empowerment programme
- Indicator: National Policy on Reintegration of Offenders adopted

PLEAD-supported interventions concerning the reintegration of released offenders are expected to commence in 2020.
Section 3: Improving coherence, cooperation and collaboration within Kenya’s justice sector

We work to empower the National Council on the Administration of Justice to fulfil its mandate – of ensuring a coordinated, efficient, effective and consultative approach in the administration of justice and reform of the justice system – and to augment collective efforts that address justice delivery challenges.
National Council on the Administration of Justice

**Strengthening the NCAJ Secretariat**

Despite notable progress in some areas, the NCAJ Secretariat was not yet fully functional in 2019. To strengthen the Secretariat, we embedded two consultants who assisted with day-to-day work, including for various NCAJ committees. A third PLEAD-funded consultant served as liaison between UNODC and the Secretariat, and provided valuable technical and logistical assistance for Council and committee meetings.

The Council convened twice in 2019, in February and May (the 20th and 21st meetings respectively). Notably, the 20th meeting occurred after a one-year break, despite the statutory requirement to hold quarterly meetings. A joint communique issued following this meeting reinforced the commitment of Council members to work collaboratively to achieve their desired results, particularly in fighting corruption.

During the 21st session, the Council adopted the organizational structure of the Secretariat. Subsequently, the position of Executive Director and other key personnel, such as Partnership and Resource Mobilisation Manager, Senior Accountant, Policy, Strategy and Monitoring and Evaluation Manager were advertised but remained vacant in 2019. The recruitment process was delayed due to the heavy schedule of the JSC in recruiting judges for the Court of Appeal, Employment and Labour Court, and the Environment and Land Court. Only the position of CUC Manager was filled, in December. Also, at the 21st meeting, revised CUC Guidelines were adopted. The proposal to draft new NCAJ legislation was also tabled. If such legislation proceeds, it would be a significant move towards the independence of NCAJ which is currently seen as part of the Judiciary.

The NCAJ Technical Committee comprises representation at the technical level from the same agencies as the Council and is tasked with preparing documents and formulating the Council’s agenda. Our support for NCAJ extended to supporting three Technical Committee meetings (15 January, 5 to 7 February and 30 April), the outcomes of which included updates on developing the NCAJ strategic plan and policy – including observations for re-organizing the Secretariat following recommendation from a Judiciary Organization Review in 2018 – and an approach to restructuring the working committees and taskforces of NCAJ. The latter document addressed ambiguity around the membership and management of the committees.

With our team’s support, NCAJ Chairperson Chief Justice Maraga held two consultative meetings in August with key Council representatives to maintain the momentum on joint efforts to address corruption and other challenges, and to prompt full implementation of the Plea Bargaining Guidelines and Diversion Policy.

**Enhancing NCAJ strategic planning**

We engaged a senior consultant who supported a participatory process to review the previous NCAJ strategic plan for 2012 – 2016. As part of this process, we assisted with a desk review of all existing NCAJ documentation and interviewed NCAJ members and other key stakeholders. This laid the groundwork for finalizing a new strategic plan in 2020.
Improving recognition of NCAJ

The NCAJ is at a point in its evolution where improved recognition of its mandate, functions and impact will assist its activities and have a positive flow-on effect in terms of improving citizen faith in the criminal justice system. In quarter three, we assisted NCAJ to devise a Bridging Communication Strategy to address immediate priorities while the strategic plan was under development.

The aim of the Bridging Communication Strategy was to make NCAJ better known and supported, and to position the Council for future growth. It focused on completing strong foundations for NCAJ communications and supporting Council meetings and the National Conference on Criminal Justice Reform (NCCJR). Consistent with ongoing discussions, the strategy recognised the need to decouple NCAJ from the Judiciary in the public arena to reinforce NCAJ’s independence.

Our team assisted NCAJ to implement their strategy as follows:

- **NCAJ visual identity** – Design of a distinctive ‘look and feel’ to differentiate NCAJ from other justice actors in Kenya and create a consistent identity for all NCAJ outputs, starting with the website, display banners and publications. Additionally, we supported the application of their visual identity to ACM publications and outputs of the Bail and Bond Implementation Committee (BBIC).

- **Website** – In September, we engaged a web developer consultant who was based with the Secretariat and assisted in developing a standalone website at [www.ncaj.go.ke](http://www.ncaj.go.ke). The site went live in November. Among its initial content was a campaign section where IEC materials produced for national, sector-wide sensitization efforts for bail and bond (BBIC materials) and plea bargaining (ODPP materials) were made available for download in English and Swahili. Our consultant also drafted a Content Management System user guide for use by the Secretariat.

- **Conference** – Having supported NCAJ to draft a communication plan for the National Conference on Criminal Justice Reform (NCCJR), our team delivered a curtain-raiser video and assisted with the production of a conference bag and social media coverage.

NCAJ is due to develop a more detailed, longer-term communication strategy in 2020, in conjunction with Council members, to reflect the direction of the forthcoming strategic plan.

Supporting inter-agency data collection and use

During the reporting period, the collection and use of reliable data and statistics by justice institutions grew in importance as a cross-cutting focus area.
By way of background, Kenya has received technical support from UNODC as a pilot country for implementation of the International Classification of Crime for Statistical Purposes (ICCS). In 2019, our PLEAD team seized the opportunity provided by ICCS to engage with broader system reform towards improving the accuracy of data produced on crime and criminal justice. This involved technical support for our national partners to implement key recommendations of a 2017 UNODC assessment report on criminal justice statistics which aims to ensure the production of data and statistics which accurately portray the status of crime and situation of victims in Kenya; the performance of PLEAD national partners; and the use and application of alternatives to imprisonment.

During the year, three PLEAD-supported inter-agency workshops were facilitated to review the existing data collection tools of the Judiciary, ODPP and PACS. The tools are used by each institution to collect data, such as the number and nature of cases their officers are handling. The workshops also enabled these institutions to better understand systemic issues and realize the benefits of peer review and a more harmonized approach through the ICCS.

The first workshop, held from 29 July to 1 August, focused on ODPP’s data collection tool. The 25 participants included officers from ODPP, NCAJ, the Judiciary, PACS, the National Crime Research Centre (NCRC) and UNODC. The second workshop, on 5 to 8 August, reviewed the Judiciary’s data collection tool and attracted 19 participants from various institutions. The remaining workshop focused on the data collection tools of PACS. Held from 4 to 7 November, the 20 participants included officers from NCRC and Kenya Prison Service, among other agencies. This was followed by the piloting and sensitization of the revised PACS data collection tool in five court stations in Nairobi County from 13 to 15 November. Our team then supported a validation workshop for the PACS Data Management Policy and Dissemination Policy on 9 December.

We also helped to develop a proposal for a revised data collection instrument and implementing guidelines for the Judiciary and a proposal for revised terms of reference for the Statistics Division at ODPP. Our assistance also resulted in the development of an indicator framework on the status of use and application of alternatives to imprisonment in Kenya.

Finally, our team provided technical support for the on-site piloting and sensitization of ODPP’s data collection tools in one court station in Kagamega County from 25 to 29 November, and in three court stations in Kisumu County from 2 to 6 December.

**OUTPUT 3.2: NCAJ CAPACITY TO DEVELOP SECTOR WIDE NATIONAL STRATEGY AND ACTION PLAN TO REDUCE PRISON OVERCROWDING AND TO SUPPORT TASK FORCES/COMMITTEES ON CRIMINAL JUSTICE ENHANCED**

**Indicator: National Strategy and Action Plan on Reduction of Prison Overcrowding adopted**

Supporting the application of bail and bond in Kenya

“The Committee is indebted to the European Union and the United Nations Office on Drugs and Crime for supporting the entire process of developing and producing our Bail and Bond Course Trainers’ Manual and Trainees’ Guide through the PLEAD partnership. Their support was invaluable.”

**Lady Justice Jessie Lesiit, MBS**
Chairperson, Bail and Bond Implementation Committee

The Bail and Bond Implementation Committee (BBIC) is an inter-agency committee housed under NCAJ. Established in 2015, the BBIC was tasked with the broad mandate of overseeing implementation of the Bail and Bond Policy Guidelines and recommendations of the Taskforce on Bail and Bond.

Under the leadership of the Hon. Lady Justice Jessie Lesiit, the committee’s work has been crucial in standardizing and streamlining the administration of bail and bond in Kenya, for example, by ensuring that the Bail and Bond Policy Guideline’s processes and procedures are
better understood and applied by all justice sector actors and the public. This has, in turn, contributed to the fight against corruption within the justice system by discouraging unscrupulous actors such as "brokers" and 'professional sureties' who often take advantage of the poor and present a barrier towards access to justice for disadvantaged citizens. The BBIC also worked to significantly reduce the use of fraudulent securities by proposing an automated, inter-agency system for the verification of securities.

The main actions and outputs of the BBIC supported through PLEAD are as follows:

- **Bi-monthly BBIC Executive Committee meetings and four retreats** – This support was instrumental in enabling the BBIC to: draft a Bail and Bond Legislative Proposal, directly supported by the International Development Law Organization (IDLO); finalize a training course; complete the BBIC Monitoring and Evaluation and End of Term reports; draft the Pocket Book (a simplified version of the Bail and Bond Policy Guidelines also supported by IDLO); plan for regional monitoring and sensitization visits; and ultimately ensure that all aspects of the committee’s work plan were accomplished.

- **Development and validation of a Bail and Bond Training Course** – This was developed jointly by the BBIC and Judiciary Training Institute, with our technical assistance. According to Chief Justice Maraga, the development of these training instruments is critical in sustaining the bail and bond learning and in ensuring that standardized

This poster was part of a suite of PLEAD-funded information aimed to improve understanding of bail and bond
capacity building for key actors is maintained across the relevant agencies. Our team was pleased to support the development of these two training aids:
1. Bail and Bond Course: Trainers’ Guide
2. Bail and Bond Course: Trainees’ Manual.

- **Bail and Bond training workshops** – The BBIC, with our team’s support, equipped close to 120 criminal justice actors (including magistrates, police, prosecutors, probation officers and prison officers) with the skills and knowledge to effectively administer bail and bond, and to train others in the effective administration of bail and bond. From among these trainees, a pool of 30 bail and bond ‘champions’ was formed. This was the result of three PLEAD-supported ToT workshops in 2019, conducted by BBIC members and facilitated by our team. The third workshop, conducted in November 2019, was a champions’ training which focused on building the competence of identified champions from numerous criminal justice agencies who will continue to sensitize and train other actors and the public on bail and bond in 2020 and beyond.

- **Suite of IEC and display materials** – We also supported the design and production of a set of display banners and IEC materials in English and Swahili. (See table overleaf). Altogether 28,000 printed materials were produced with PLEAD funding, and the EU was given appropriate visibility for their financial support. As mentioned, some of these materials are available for download on the NCAJ website.

Further, we supported the BBIC in boosting understanding of bail and bond and its effective implementation among members of CUCs during a dedicated workshop in May (see overleaf).

### Promoting criminal justice reform

In 2019, we also worked together with NCAJ’s National Committee on Criminal Justice Reform (NCCJR). The committee was launched to spearhead a comprehensive review and reform of the country’s criminal justice system and make legal, policy, institutional, operational, and administrative recommendations necessary for better functioning of the criminal justice sub-sector.

Chaired by High Court Judge, the Hon. Grace Ngenye, the NCCJR is expected to oversee full implementation of the findings and recommendations of an audit of Kenya’s criminal justice system published by NCAJ in 2016. The audit report covers all aspects of criminal justice reform including, but not limited to, arrest, investigation, policing, prosecution, adjudication, and sentencing.

This NCAJ committee staged the First National Conference Criminal Justice Reform from 14 to 15 November 2019. In preparation, we assisted the committee with hosting two preparatory meetings. Made possible with EU funding through PLEAD, the conference itself brought together more than 200 criminal justice actors, and featured the participation of the Chief Justice, the DPP, other heads of justice institutions and senior stakeholders.
The conference created a platform to present, discuss and streamline various sector policies, guidelines and reforms, such as bail and bond, plea bargaining and diversion. As a result, the participating agencies ratified a communiqué detailing institutional commitment to enhance access to justice, including a proposal to have a national action plan to reduce prison overcrowding. Another significant proposal emerging from the conference was to review the Judicial Service Commission Act to strengthen the autonomy of NCAJ to ensure representation and participation of all justice sector institutions in the leadership and structures of the Council.

In the context of criminal justice reform, our team also supported a visit by the Chief Justice, the acting Executive Director of NCAJ and the Director of JTI to Qatar from 27 to 28 October to learn and exchange best practices on inter-institutional coordination among the Judiciary, the Office of the Attorney-General/Minister of Interior and Criminal Investigations with regards to investigation and prosecution of high-level corruption cases, among others.

Empowering Court Users’ Committees

**OUTPUT 3.3: COORDINATION CAPACITY OF CUCS IN THE FOCAL COUNTIES STRENGTHENED**

- **Indicator:** Number of CUCs in focal counties which meet quarterly
- **Indicator:** Number of CUCs in focal counties trained on basis of training programme developed
- **Indicator:** Number of CUCs in focal counties which have undertaken awareness campaigns

In pursuing a coordinated, efficient, effective and consultative approach in the administration of justice, the NCAJ is tasked with establishing and operationalizing CUCs at the county level, court stations, tribunals and other specialized courts. CUCs bring together actors and users in the justice sector with a view to enhancing public participation and stakeholder engagement, developing public understanding of court operations and promoting effective justice sector partnerships.

Given the convening and problem-solving power of CUCs, many aspects of our PLEAD interventions intersected with CUCs throughout 2019. This included the entire membership of some CUCs and selected members of others.

As discussed in other parts of this report, our support included CUC members benefitting from training courses and sensitization workshops. For instance, the entire Lamu CUC was engaged in sensitization ahead of the Lamu Service Week, and members were actively involved in reviewing and disposing of cases, as well as answering enquiries from prisoners and other citizens during the week.

In support of central administration of CUCs, we helped coordinate meetings of the NCAJ Special Working Committee on CUCs in March and May.

All CUCs are mandated to meet on a quarterly basis and furnish the NCAJ Secretariat with minutes from their meetings. In an attempt at improved coherence, cooperation and collaboration, the 21st Council meeting received and approved revised CUC Guidelines. Our team assisted NCAJ with the design and production of their updated guidelines.

From 12 to 15 May, our team supported a comprehensive sensitization workshop for 50 CUC members from diverse criminal justice agencies in PLEAD focal counties. Guest presenters included representatives
The topics covered were the Bail and Bond Policy Guidelines, ACM, plea bargaining and diversion. This workshop enhanced the capacity of CUCs to address delays and inefficiencies in the criminal justice process through utilizing existing and new national guidelines and policies. In the third quarter, our team supported sensitization of the Jomo Kenyatta International Airport CUC on plea bargaining, diversion, ACM and bail and bond.

In the fourth quarter, our team played a pivotal role in organizing Regional CUC Forums in support of NCAJ. The forums – held in Eldoret, Naivasha and Malindi – brought together CUC members based in each host county and neighbouring counties, and attracted a total of 173 participants.

Their main purpose was to deliver training and sensitization to improve understanding and use of diversion, plea bargaining, ACM, and bail and bond. However, the forums also enabled CUC members to share their specific challenges and forge a way forward with input from other justice actors.

The participants received copies of relevant policy and guidelines documents, plus the full set of IEC materials developed on diversion, plea bargaining, and bail and bond on flash drives, and were able to take hard copies of materials back to their workplaces for further dissemination. One notable outcome of the Eldoret forum was the application of plea bargaining during a service week conducted by the Judiciary at the prison in December.

Given the positive feedback from these forums, our team is due to assist NCAJ with staging more in 2020.

### Table: Publications and other materials produced for NCAJ in 2019

<table>
<thead>
<tr>
<th>Product</th>
<th>Language</th>
<th>Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>NCAJ curved backdrop banner</td>
<td>English</td>
<td>1</td>
</tr>
<tr>
<td>NCAJ standard roll-up banner</td>
<td>English</td>
<td>2</td>
</tr>
<tr>
<td>NCAJ double-sided roll-up banner</td>
<td>English</td>
<td>2</td>
</tr>
<tr>
<td>Court Users Committee (CUC) Guidelines</td>
<td>English</td>
<td>3,000</td>
</tr>
<tr>
<td>Bail and Bond Trainees’ Guide</td>
<td>English</td>
<td>50</td>
</tr>
<tr>
<td>Bail and Bond Trainers’ Manual</td>
<td>English</td>
<td>50</td>
</tr>
<tr>
<td>Bail and Bond illustrated poster</td>
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<td>5,000</td>
</tr>
<tr>
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</tr>
<tr>
<td>Police Bail and Bond Charter poster</td>
<td>English</td>
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<tr>
<td>Judiciary Bail and Bond Charter poster</td>
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<td>Probation Service Charter Bail and Bond Charter poster</td>
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</tr>
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<tr>
<td>Bail and Bond poster (narrow)</td>
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<td>BBIC stickers</td>
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<tr>
<td>BBIC stickers</td>
<td>Swahili</td>
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</tr>
</tbody>
</table>
Communications and visibility

Setting our strategy

**OUTPUT 3.4: VISIBILITY OF PLEAD ENHANCED**

- **Indicator: Communications Strategy for the project developed**

Building on the launch of PLEAD in 2018, we were able to set firm foundations for strategic communications and visibility in 2019. This entailed close cooperation with communication focal points at the EU Delegation, UNDP Kenya and our national partners.

The PLEAD project teams at UNODC and UNDP agreed to collaborate on communications and visibility for PLEAD, mainly through joint ‘flagships’, and that each UN agency would drive outreach for their respective components. Such a united approach would harmonize efforts between multiple partners, build consistent recognition of the PLEAD partnership and maximize the overall impact of communications. Moreover, it would support the government’s emphasis on inter-agency collaboration and the UN’s Delivering as One agenda.

Completed in quarter one, our UNODC Communication and Visibility Strategy 2019-2022 for PLEAD therefore incorporated agreed joint flagships as well as other tools and tactics designed in support of our specific project objective and outputs.

Our strategy took into account relevant findings of the 2018 Baseline Study, not least that the importance of public awareness and participation in justice reform could not be over-stated or that limited awareness of alternatives to imprisonment, coupled with a low uptake of these punishments by judicial officers, had resulted in over-reliance on imprisonment. Our approach was also informed by mandatory EU visibility requirements and UNODC communication policies.
Our communication and visibility objectives for the UNODC component over the life of PLEAD are to:

1. Raise awareness among all target groups of the positive impacts of PLEAD interventions
2. Convince frontline decision-makers and justice system end-users of the viability of alternatives to imprisonment with a view to changing social norms and behaviours so that these and other new measures are fully embraced
3. Demystify Kenya’s criminal justice system by improving understanding among all target groups of the distinct roles and services of PLEAD partners
4. Equip NCAJ and other national partners to better harmonize communications and information flows as part of enhancing coordination within the criminal justice sector, and
5. Generate appropriate visibility for the EU and other PLEAD partners to sustain a strong partnership.

Our strategy’s key messages, made available in English and Swahili, emphasized that PLEAD is a partnership. Our target audiences comprised our PLEAD national partners, other parts of national government, county governments in focal counties, sections of the public, legal fraternity, the media, civil society, the development community and opinion-formers in the EU.

We made significant progress with strategy implementation in conjunction with all PLEAD partners. This was aided by consultants and service providers engaged to support strategic communications and visibility, graphic design, photography, videography, website development, illustration needs and translation. Beyond 2019, we will update the strategy to capitalise on communication and visibility opportunities and take account of ongoing monitoring and evaluation.

Progress with joint flagships

**Indicator: Increased publicity of the Programme**

An early decision concerned branding for PLEAD. A distinct visual identity would be applied to dedicated PLEAD products (i.e. information and display materials about PLEAD itself). To emphasize PLEAD as a partnership, the logos of all partners would feature in the visual identity instead of introducing a PLEAD logo. To reinforce government ownership, publications and other products being issued by government partners, their committees or taskforces with PLEAD funding would, unless otherwise agreed, retain their existing ‘look and feel’ and incorporate appropriate acknowledgement of the EU and UNODC.

Our team led the development of various joint flagships:

**PLEAD brochure** – In quarter three, an updated PLEAD brochure was finalized in English and Swahili and made available online and in hard copy.

**PLEAD Verdict newsletter** – In quarter three, we collaborated with UNDP and the EU to launch the PLEAD Verdict newsletter, intended to provide a quarterly progress update. Two editions of the newsletter were published and promoted via social media.

**Animated video introducing PLEAD** – We commissioned a Kenyan video company specializing in animation and together with UNDP commenced work on an animated PLEAD ‘explainer’ video. Due to be released in early 2020, in English and Swahili, the
video will be an easy-to-follow guide for different target audiences, including citizens with low literacy.

Of the remaining proposed joint flagships, collaboration with UNDP on a Powerpoint master deck is scheduled for early 2020. A joint PLEAD website proved unfeasible.

**Progress with broader strategy implementation**

Our strategy’s implementation approach included a mix of mass and interpersonal communication tactics, focused on conveying the results and positive impacts achieved through the PLEAD partnership. The main hashtag #PLEADyetu (our PLEAD) was introduced. More broadly, our team set up systems and procedures to coordinate communication and visibility activities and integrate them into programme delivery.

This included maintaining a publications schedule to track the production of reports, training manuals, IEC materials and other products. Given the high demand from our national partners for publishing support – most often as an extension of our team’s technical assistance for their content development – establishing an effective pipeline was an important step. This assisted our internal team planning as well as coordination with our national partners and main print production service provider, the Publishing Services Section at the UN Office in Nairobi.

In 2019, we supported our national partners to produce a total of 48 reports, manuals, brochures, posters and case ledgers. Further, we assisted with the design and production of 26 types of display banners, stickers and training course certificates. The main outcome of this support was greater access to current information about the distinct roles, services, policies and new initiatives of our PLEAD national partners. Apart from directly supporting partners’ goals, this contributed to achieving our communication objective of demystifying the criminal justice sector.

We achieved further progress in the following areas:
UNODC website content – In quarter three, we created a PLEAD microsite in UNODC’s Regional Office in Eastern Africa website (see www.unodc.org/easternafrica/plead/). It will grow over time to reflect ongoing results and impact.

Photo library – We commissioned a professional photographer to create a library of catalogued, high-quality photographs. This involved collaboration with PACS and WPA which also served to enhance their respective photo libraries. (See also Section 2). Our team used the photographs in a range of contexts, mainly for PLEAD flagships and social media.

Video production – In 2019, our team coordinated the production of five PLEAD-related videos. We achieved a total of 1,844 online views of the videos. Among them, ‘Lamu Service Week 2019: Justice for All in Kenya’, was jointly developed with ODPP and made available via social media and the UNODC YouTube site. Also a collaboration with ODPP, a diversion case study video we initially produced in-house to inform discussions at the ODPP Strategic Planning Conference was later released: see ‘Beyond the Court: Diversion in Practice’

In September, we launched a PLEAD Spotlight video series, with the first episode explaining the role of a prosecutor. The video featured Eric Kyalo, an ODPP prosecutor based in Lamu. Following feedback from the EU, we repackaged the interview content as a case study for their use. The PLEAD Spotlight series will eventually profile the main professions of officers at each national partner institution, as part of improving understanding of their respective mandates.

Traditional and social media – Our team actively promoted the PLEAD partnership, events and results on social media during 2019, mainly on Twitter. We encouraged partners also to use the #PLEADyetu hashtag. In standing behind our national partners, we did not pursue regular media coverage, instead opting for selected media interviews, such as a Lamu Service Week interview with Ms Kagwi-Ndungu on UN Kiswahili Radio, and a Daily Nation opinion piece by Dr de Andrés.

Promoting SDG 16 – UN offices and Member States are encouraged to promote the SDGs. Our strategy therefore included a key message about the SDGs and recommended incorporating the SDG 16 icon wherever possible in PLEAD communications (and the SDG 5 icon as relevant). We therefore included the SDG 16 icon in the PLEAD brochure and notepad designs. It was also placed in NCAJ bail and bond IEC materials. Additionally, our spokespeople referred to the SDGs during their remarks at PLEAD-supported events.

Enhancing EU visibility

Our strategy acknowledges that effective communication about the EU’s support is an essential component of PLEAD implementation. It further notes that effectively communicating the positive impacts of PLEAD will enable the value of the EU’s investment to be highlighted, along with all partners’ contributions.
Throughout 2019, we set about bringing appropriate visibility to the EU across all our actions. We developed a positive working relationship with the communication focal points at the EU Delegation and were in regular contact to propose visibility opportunities and to seek approval of EU recognition at events, in publications and in the course of other programme interventions. Most frequently we brought visibility to EU support via PLEAD-supported publications and social media content.

Simplified visibility guidelines were prepared for use by our team which set out our essential visibility standards, based on the EU’s mandatory requirements, including use of disclaimers in PLEAD-supported publications and videos. To ensure consistency in use of the EU emblem and acknowledgement statement, we produced various co-branded templates, such as participants’ lists, agendas and welcome slides for use by our partners at PLEAD-supported workshops.

Different scenarios for visibility arose during 2019. Lamu Service Week was a notable platform for increased publicity of the PLEAD partnership and visibility of EU support. This included branded street banners, a web story and video which included remarks from an EU spokesperson. Among other examples of visibility, UNODC spokespeople consistently acknowledged the EU’s support during speeches. More consistent recognition for the EU’s support by national partners will be enabled via a communication protocol planned for circulation in early 2020.
Challenges and solutions

Security in PLEAD focal counties

When designing actions, we endeavoured to stage trainings and key meetings within the 12 PLEAD focal counties and to draw participants from the focal counties. However, the threat of terrorism and banditry remained high in several focal counties in 2019 which limited our team’s capacity to travel and organize activities in some areas. On occasion, security concerns also affected travel by our national partners’ officers. Sometimes travel had to be postponed or arranged at short notice.

As an adapting strategy, UNODC worked very closely with the UN Department for Safety and Security (UNDSS). UNDSS has accompanied UNODC to travels in all these areas. They have also provided ongoing security advice to our team. UNODC also facilitated meetings with representatives from some of these areas at places which were considered safer. (For example, for security reasons, representatives from Tana River were invited to meetings in Mombasa instead of organizing a meeting in Tana River or travel for participants was facilitated to Lamu Island instead of the team travelling to Mpeketoni).

We focused our assessments and capacity building activities on the needs of staff in all the focal counties. However, due the frequent transfer of staff from PLEAD national partners, we have to a more limited extent also included officials from non-PLEAD focal counties in the training activities.

Low operational capacity of NCAJ

Thanks to PLEAD support, there was progress on strengthening the operational capacity of NCAJ during 2019. However, the NCAJ did not meet its statutory requirement to host four Council meetings. Two full formal council meetings took place and several additional “informal” Council meetings were held. Regular meetings are key to strengthen cooperation among the criminal justice actors. There are also several committees and taskforces active in the field with overlapping mandates and responsibilities. This became very apparent during the Council meeting where the committees and taskforces presented their work. Our UNODC team offered to support a meeting to discuss cooperation among the committees and taskforces.

Coordination among development partners

In addition to PLEAD, there are programmes supporting the justice sector that are implemented by other partners, such as IDLO, USDoJ, Raul Wallenberg Institute and Judicial Performance Improvement Project (JPIP).
In order to foster synergies, to achieve best results for the beneficiaries and avoid duplication, UNODC has invested considerable time in coordination with other partners.

During the reporting period, UNODC held bilateral coordination meetings with USDoJ, IDLO and FCO – development partners with whom our team had co-organized several activities. UNODC was also selected as co-chair of the Judiciary Donor Group Meeting and hosted coordination meetings. A donor coordination group was also set up to better coordinate the assistance to ODPP, and our team actively contributed to these meetings as well.

### Human resources

Both Ms Kagwi-Ndungu and Ms Temesvari are involved in oversight and quality control of our team’s actions and outputs. However, there is a need to invest in another qualified criminal justice professional to enhance our performance by focusing on quality assurance, research and additional technical advice. We propose this person will replace the two UNVs listed in the original project document.

The recruitment is ongoing for another National Programme Officer to manage the work of NCAJ in line with the communication and agreement with the EU from 2019. It also suggested to adjust the grading of the administrative support staff; currently two administrative assistants support the programme at G5 level and a position at G6 level is vacant. It proposed to have two positions at G6 level and one at G4 level. The financial impact of these adjustment on the staffing budget will be minimal due to savings from the previous years.

### Equipment needs of our national partners

Our national partners’ equipment needs are vast. The extent of their needs became even more apparent in the course of our team’s missions in 2019. For example, in some county offices, a lack of computers, printers and photo copiers was seriously hampering the efficient delivery of partners’ services.

Our team recognised the scope for PLEAD resources to be directed to solving this challenge. This followed on from findings in our Baseline Study. We had therefore planned an equipment needs assessment in 2019 that would inform how best PLEAD resources could be put to use within the partner institutions. However, the needs assessment was delayed due to issues with engaging a suitable service provider.

As an interim solution, during the reporting period, we responded to specific immediate equipment needs of several national partners on an ad hoc basis, as discussed in this report. However, an early priority for our team in 2020 will be a thorough equipment needs assessment.
Executive Summary

People can become lost in justice systems, with lives torn apart in the process. In preparing our report, we recognise that amid the formal context of reporting against our stated project objective, outcomes and indicators, it is paramount to remain focused on why the PLEAD partnership was created - namely to realize sustainable, long-term improvements in the delivery of equitable justice for all Kenyans.

This is our team’s second annual report setting out progress in delivering the PLEAD component driven by UNODC. It is clear that in 2019, in effect our first full year of implementation, the PLEAD partnership grew stronger and the pace of implementation accelerated.

It was our privilege to support key criminal justice institutions as they pursued structural reform through change management; developed new policies and frameworks, and stepped up implementation of existing guidelines to reduce overcrowding and adopt alternatives to imprisonment; and as they strengthened their training institutions and curricula to equip their workforces for the future.

In responding to our partners’ needs, we facilitated 114 meetings, workshops and conferences during 2019 – an average of two per week. Three training needs assessments were completed. Four training courses were developed and more than 1,500 people participated in PLEAD-supported training workshops.

This and other progress described in this report would not have been possible without the financial and moral support of the EU through its Delegation to Kenya. To them, we express our most sincere gratitude.

We endeavoured to stage trainings and key meetings within the 12 PLEAD focal counties and to draw participants from these counties. However, recognising there are frequent transfers of our partners’ officers to other counties, we went beyond this. Further, in supporting our partners’ sensitization efforts, we took a national approach. We maintained open lines of communication with our focal points at each institution, respected the confidentiality of their information and endeavoured to respond to their priorities.

Cooperation and partnership were guiding principles for our work throughout the year. We sought synergies both internally with other UNODC global and regional programmes, and externally with other development partners to optimize results.

Section 1: Strengthened court administration and case management

We successfully supported the Judiciary to drive implementation of the ACM guidelines to streamline the management of criminal cases as one solution to reducing case backlog.

Our team assisted the JTI and ACM Steering and Drafting Committee with their development of three significant ACM training aids – two comprehensive training manuals and a mock case file and case study – which enabled them to launch a training programme in October fully focused on implementing the ACM guidelines. They were published in the name of NCAJ to encourage multi-agency adoption of ACM.

Based on the materials developed, JTI held four inter-institutional trainings in the final quarter, including two ToT sessions. A total of 234 participants benefitted from improved understanding of ACM through this PLEAD-supported training initiative.

Our second main area of support for the Judiciary concerned the drafting process for Kenya’s first policy to mainstream AJS. According to the Constitution of Kenya 2010, the courts and tribunals shall be guided by certain principles including that alternative forms of dispute resolution – such as reconciliation, mediation and traditional dispute resolution mechanisms – shall be promoted.

Following our technical and logistical assistance throughout the year, the AJS Taskforce drafted the policy through an inclusive, participatory process and held policy validation workshops in three counties. Additional critical input to refine the policy resulted from a roundtable seminar at Strathmore University in November which was attended by 88 academics, judges, other judicial officers and representatives of the Kenya National Council of Elders. We also commenced support for the taskforce to stage a national conference in 2020 at which this landmark policy will be launched.
Additionally, our support through PLEAD continued to improve the efficiency of court registry processes through training of some 79 court registry staff.

Section 2:
Increased quality and efficiency of criminal justice institutions

This section discusses action by ODPP, WPA and PACS to increase the quality and efficiency of their operations and how our team was able to contribute to their progress achieved with EU financial support and our technical assistance through PLEAD.

Office of the Director of Public Prosecutions

We provided multi-faceted technical and logistical support to ODPP, primarily for strategic planning and institutional change, policy and guidelines development, growth of the PTI and sensitization efforts focused on diversion and plea bargaining.

Support for their institutional change aspirations evolved into a central part of our assistance. Our team was pleased to work closely with ODPP to help set their new strategic direction, building on the DPP’s re-learn, re-tool and re-cast framework and incorporating input from their staff. Among our actions, we assisted ODPP with depth interviews with staff and external stakeholders, administering confidential questionnaires, an organizational culture survey and the drafting of concept notes on how to optimise the potential of their existing strategic initiatives, such as improving the PTI and their donor coordination mechanism.

ODPP held a Strategic Planning Conference in Naivasha from 26 to 30 August, with our logistical and technical support. The conference was attended by some 100 ODPP staff and international experts. Its main objective was to gain insights from practitioners into the direction that ODPP should take to live up to its mandate. The conference was divided into two sections: a two-day thought leadership workshop and three days of intense strategic planning. We produced two videos about the state of prosecution in Kenya to prompt critical thinking.

A conference highlight was a Legal Hackathon for ODPP officers. A first for the ODPP, the Hackathon challenged participants to come up with innovative solutions to issues facing their institution. A follow-up capacity building workshop for the finalists took place in November, which included further training on design thinking, ahead of a planned PLEAD-supported Hackathon final in 2020.

The ODPP decided to set out its updated vision and direction in an Excellence Charter, with an associated Road Map to Change containing the necessary initiatives to realise their charter’s strategic commitments. To support this exercise, we facilitated a workshop in October at which six commitments embodying the strategic vision of the ODPP were formulated along with activities aimed at their actualization. Together, the commitments and activities were presented as a draft Excellence Charter and Road Map for Change. The charter includes a commitment to reshape prosecutions to end impunity. This is to be achieved through various activities which will equip the Office to handle large and complex cases, such as large-scale corruption cases.

The draft Excellence Charter and Road Map were thoroughly scrutinised by the ODPP Strategic Planning Committee at a workshop we facilitated in December.

A comprehensive training needs assessment for ODPP was a further major result of PLEAD assistance. The assessment included interviews conducted during joint ODPP-UNODC visits to their field offices in Mombasa, Naivasha, Nakuru, Eldoret, Kisumu, Wajir, Isiolo, Mandera and Lamu in the first half of 2019. The findings of a detailed training needs assessment report were put into immediate use by the PTI.

We supported their development of an ODPP Policy Framework which was validated in August and shared internally. In the fourth quarter, we also helped to deliver a comprehensive training curriculum, comprised of induction, thematic and continuous training programmes for prosecutors. As of December, our team had assisted PTI to draft a ‘Foundations in Prosecution Course’, which comprised of 14 modules. The PTI expects to finalise its thematic and continuous training programmes in 2020.

We supported their development of an ODPP Policy Framework which was validated in August and shared internally. In the fourth quarter, we also helped to deliver a comprehensive training curriculum, comprised of induction, thematic and continuous training programmes for prosecutors. As of December, our team had assisted PTI to draft a ‘Foundations in Prosecution Course’, which comprised of 14 modules. The PTI expects to finalise its thematic and continuous training programmes in 2020.

Our team’s assistance for ODPP to fight corruption included technical assistance for the prosecution of high impact cases; establishment of specialized anti-
corruption units and teams, and recovery of assets that were acquired through corruption.

We were privileged to assist ODPP with finalizing a national Diversion Policy, Diversion Guidelines and Explanatory Notes and Plea Bargaining Guidelines. Following their validation in February, they were first piloted during an ODPP-led justice service week in Lamu in March, for which our team provided logistical and technical assistance. During the week, the ODPP worked closely with the Judiciary and other actors to actively apply the new policy and guidelines documents, with the aim of fast-tracking the disposal of cases and decongesting the nearby prisons.

In addition, we engaged the services of an illustrator to support the development of illustrations on diversion plea bargaining that are educative and informative. In this regard, more than 30 illustrations were produced to explain diversion and plea bargaining to a wide audience, with accompanying text in English and Swahili.

To enhance the understanding of diversion and plea bargaining among practitioners and the public, we supported ODPP to develop and drive a national sensitization campaign. We engaged renowned Kenyan artist Paul Kelemba to produce illustrations for a comprehensive set of IEC materials in English and Swahili that were subsequently used in various training and sensitization sessions.

ODPP adopted the ToT model in order to build capacity of prosecutors and other criminal justice actors. In August, 75 participants attended a ToT session on diversion and plea bargaining, including ODPP Regional and County Heads from across the country, and Departmental and Division heads from headquarters who had been identified as champions and trainers. We subsequently supported ODPP to lead week-long trainings on diversion and plea bargaining for justice sector practitioners and sensitization of the public, including remandees, in the counties of Mombasa and Wajir.

EU funding also supported a media briefing hosted by ODPP in Nairobi in October. This served as the media launch of their new policy, guidelines and explanatory notes and provided an important opportunity to inform journalists about the benefits of these alternatives to imprisonment.

Witness Protection Agency

During the reporting period, our support to WPA built upon the existing working relationship between our organizations that had been focused on transnational organized crime. Our team’s support in 2019 was characterized by the drafting of documents, including a curriculum and 19 Standard Operating Procedures (SOPs). Forty-eight WPA officers benefited from induction training during the reporting period.

In the third and fourth quarters, we provided technical support for WPA to standardize its procedures. This entailed support for the drafting of 19 SOPs related to witness management, finances and other operational issues. Some of the SOPs finalized by the end of 2019 included: Admission into Witness Protection, Procedure for Relocation and Procedure for Court Attendance.

Through PLEAD our team supported a workshop in July attended by WPA officers and curriculum developers from the Kenya Institute on Curriculum Development. The outcome was an updated WPA curriculum which complied with national curriculum standards. We also supported an intensive induction training for newly recruited WPA staff.

WPA operates in a covert manner which creates challenges for its external communication. Yet it is imperative that the Agency’s mandate and functions are known, and that clear information is available explaining how people may access their services. During 2019, we provided ad hoc advice on their communication strategy and practical support for their implementation.

We commissioned an award-winning Kenyan photographer, Allan Gichigi, who visited various locations and worked closely with WPA officers. The end result was a library of over 120 photographs, some of which were used immediately in a redesign of the WPA Service Charter that we facilitated along with a poster and display banners. To increase their range of information available in Swahili, we arranged for translations of their content for a flier, frequently asked questions booklet and banners.

Further, in the third quarter we engaged a witness protection expert to undertake an equipment needs assessment with WPA. Based on the identified priorities, our team commenced the procurement of vehicles,
with further equipment due to be procured in the first half of 2020.

Probation and Aftercare Service
PACS is one of the institutions in the criminal justice system with an expanding mandate. Our support for the department in 2019 centred on their strategic planning and organizational restructuring, the development of curricula and training guides, training support and raising awareness of their mandate and services.

Between January and May, our team provided technical advice to PACS to support the finalization of their new strategic plan. This included a detailed review of the department’s strategic vision, priorities and key result areas. Similar to our team’s intervention with ODPP, we engaged with PACS to support their organizational restructuring and re-engineering of their business processes. The expected outcome was a blueprint of recommendations and an implementation road map that would lead to a modernized and well-functioning department with a strong strategic focus, clear roles, technical specialization and division of labour as well as solid internal communication protocols that would enable the department carry out its functions more efficient and effectively.

The findings of the assignment, recommendations and road map to implement the recommendations will be presented during the first quarter of 2020. Meanwhile, the formal adoption of their strategic plan was delayed by its parent ministry.

In response to various challenges related to bail and pre-trial release, and in particular those stemming from high risk offenders, PLEAD supported the development of a policy on an Intensive Supervision Programme and Electronic Monitoring and a Bail Supervision Policy Framework. In the first quarter of 2019, our team supported two validation workshops, one at which their Bail Supervision Policy Framework was considered and another on the policy on Intensive Supervision Programme and Electronic Monitoring.

To better equip PACS to counter challenges related to violent extremism, PLEAD supported a workshop in quarter one to develop data capture tools on such cases. This will be an ongoing area of our support.

Through international consultants, we were pleased to support PACS to complete two training needs assessments: for probation officers and community probation volunteers respectively. The assessments were conducted in selected PLEAD focal counties, namely Nakuru, Lamu, Mombasa and Nairobi for CVPs and Isiolo, Marsabit, Nyeri, Wajir, Mombasa, Kisumu, Busia, Kakamega, Eldoret, Baringo, Nairobi and Machakos for probation officers.

Two validation sessions with senior PACS representatives and other key stakeholders ensured full ownership of both assessments. Training curricula and manuals for probation officers and CPVs were then drafted by dedicated PACS committees with our team’s technical and logistical assistance. This included support through PLEAD for drafting meetings in the third and fourth quarters.

In 2019, one quarter of participants in PLEAD-supported trainings – or 316 justice officers - benefitted from Community Service Orders Act training. We were also able to assist PACS in upskilling its officers through capacity building and training on bail supervision, their performance management system and integrity assurance. The 47 probation officers trained on the department’s performance appraisal system then became performance appraisal system ‘champions’ who were empowered to assist their colleagues.

The treatment of child and young offenders in Kenya was modelled on the criminal justice system as established during the colonial era. However, reforms have begun to shift the discourse and practice from retributive to restorative justice. Against this background, we supported PACS to commence work on a Juvenile and Youth Justice Strategy through a collaborative framework with state and non-state stakeholders and partners. Beside this strategy, our team also supported the first stage of a review of Throughcare Procedures. By the end of 2019, we had assisted with a situational analysis through field work carried out in Mombasa, Nairobi and Nakuru. Further support for PACS to complete the situational analysis and finalize the Children and Youth Justice Strategy and revision of Throughcare procedures is slated for early 2020.

Further, between March and June, we provided advice for refining the Probation Communication Policy
Guidelines, the department’s communication strategy and branding guidelines. UNODC supported the participation of PACS in the bail and bond sensitization campaign, originally planned for May but postponed following the extended term of the BBIC. This included finalizing the design and printing of a PACS Bail and Bond Charter poster.

In the third and fourth quarters, in tandem with photographic support for WPA, our commissioned photographer travelled to Machakos, Kisumu and Mombasa counties with PACS officers to gather over 300 photos of PACS facilities, their staff and clients. We then supported PACS to incorporate many of the photographs into a poster and desk calendar, yet their production was delayed following internal issues over PACS branding.

To assist their officers who must travel long distances to carry out their responsibilities yet have no work vehicle, we commenced the procurement of 12 vehicles. In the third quarter, our team procured and handed over 42 desktop computers, 29 laptops and 12 computer monitors for use at their selected offices in PLEAD focal counties.

Section 3: Improved coherence, cooperation and collaboration within Kenya’s justice sector

To strengthen the NCAJ Secretariat, we provided three consultants who supported various aspects of the day-to-day work of the Secretariat. A team member served as liaison between UNODC and the Secretariat. In an important step, we supported a participatory process to review the previous NCAJ strategic plan. This laid the groundwork for NCAJ to put a new strategic plan in place in 2020.

Our support for NCAJ extended to supporting three Technical Committee meetings, the outcomes of which included updates on developing the NCAJ strategic plan and policy - including observations for re-organizing the Secretariat following recommendation from an Organizational Review of the Judiciary - and an approach to restructuring NCAJ working committees and taskforces. The latter document addressed ambiguity around the membership and management of the committees.

The Council convened twice in 2019, in February and May. Notably, the first meeting occurred after a one-year break, despite the statutory requirement to hold quarterly meetings. A joint communique issued following this meeting reinforced the commitment of Council members to work collaboratively to achieve their desired results, particularly in fighting corruption. Revised CUC Guidelines were adopted at the May meeting.

With our team’s support, Chief Justice Maraga chaired two consultative meetings in August with key Council representatives to maintain the momentum on collaboration to address corruption and other pressing challenges, and to prompt full implementation of the Plea Bargaining Guidelines and Diversion Policy.

During the reporting period, the collection and use of reliable data and statistics by justice institutions grew in importance as a cross-cutting focus area. We facilitated three inter-agency workshops which enabled peer review of existing data collection tools used independently by the Judiciary, ODPP and PACS. In addition, each institution used the peer feedback and learning to update their respective tools. The workshops set the scene for a more harmonized approach to data collection and use.

In quarter four, we provided technical support for the on-site piloting and sensitization of the ODPP’s data collection tool at four sites in two counties. We also supported the piloting and sensitization of the revised PACS data collection tool in five court stations in Nairobi County, as well as a workshop in December at which the PACS Data Management Policy and Dissemination Policy were successfully validated. Both policies will be rolled out in 2020, aimed at making the collection and use of reliable data more systematic at PACS. Meanwhile, our team is due to concentrate support on harmonizing data collection among justice institutions in the next reporting period.

Under the leadership of Lady Justice Jessie Lesiit, the work of the BBIC was crucial in standardizing and streamlining the administration of bail and bond
in Kenya. We were pleased to support four BBIC Executive Committee retreats in 2019, as well as their regular monthly meetings. These proved instrumental in enabling the BBIC to finalize a training course and draft a Bail and Bond Legislative Proposal, among other outputs.

Our support included input into, and production of, the Trainers’ Guide and Trainees’ Manual. Of the 120 participants in PLEAD-supported training on bail and bond, a pool of 30 bail and bond ‘champions’ was formed. Identified champions from numerous criminal justice agencies who will continue to sensitize and train other actors and the public on bail and bond.

In conjunction with the Judiciary’s communications staff, we also supported the BBIC to produce a suite of IEC materials and commenced logistical support for a high-level launch of the BBIC outputs planned for early 2020.

With our support, the NCCJR held the First National Conference Criminal Justice Reform from 14 to 15 November. The conference brought together more than 200 criminal justice players. The participating agencies ratified a communiqué detailing the institutional commitment to enhancing access to justice including proposal to put in place a national action plan to reduce prison overcrowding. Another significant proposal of the conference was to review the Judicial Service Commission Act to strengthen the autonomy of NCAJ to ensure representation and participation of all the justice sector institutions in the leadership and structures of the Council.

We also supported CUCs. Given their convening and problem-solving power, CUCs were an integral target group for many PLEAD interventions throughout 2019. As discussed in other parts of this report, this included CUC members benefitting from training courses, sensitization workshops, attendance at the NCCJR conference, and the review of data collection tools.

In our support for central administration of CUCs, in March and May we helped coordinate meetings of the NCAJ Special Working Committee on CUCs. In May, we supported a major sensitization workshop for 50 CUC members at which they gained practical advice on how to implement the guidelines for ACM, bail and bond, and plea bargaining, and gained a better understanding of diversion. Participants’ feedback indicated this workshop served to enhance their capacity and confidence to contribute to addressing delays and inefficiencies in the criminal justice process through utilizing existing and new national guidelines and policies.

In the fourth quarter, our team played a pivotal role in organizing Regional CUC Forums in support of NCAJ. The forums – held in Eldoret, Naivasha and Malindi – brought together CUC members based in each host county and neighbouring areas attracted 173 participants. Their main purpose was to deliver training and sensitization to improve understanding and use of diversion, plea bargaining, ACM, and bail and bond. However, they also enabled CUC members to share their specific challenges and forge a way forward with input from other justice actors. More forums are expected in 2020.

In quarter three, we assisted NCAJ to devise a Bridging Communication Strategy to address immediate priorities. Their strategy’s main objectives were to make NCAJ better known and supported, and to position the Council for future growth. We then assisted the Secretariat to implement their strategy, starting with the design of a distinctive visual identity to differentiate NCAJ from other justice actors and assisting with development of a website at www.ncaj.go.ke that went live in November. Notable, the site featured campaign pages for plea bargaining and bail and bond where IEC materials produced for sector-wide sensitization efforts were made available for download. Further, our support for the NCCJR Conference included producing a ‘curtain-raiser’ video and social media coverage.

**Communications and visibility**

Together with the EU and UNDP, we set firm foundations for PLEAD strategic communications and visibility. Completed in quarter one, our UNODC Communication and Visibility Strategy 2019-2022 for PLEAD incorporated joint flagships to be co-implemented with UNDP, and other tools and tactics designed in support of our project objective and outputs.

Our team led the development of various joint flagships, namely an updated brochure in English and Swahili, the
PLEAD Verdict newsletter and a distinct visual identity for PLEAD designed to present a consistent image of the partnership and boost its visibility. The main hashtag #PLEADyetu (our PLEAD) was introduced. We created a PLEAD microsite (www.unodc.org/easternafrica/plead/) and published six news stories on UNODC’s Regional Office in Eastern Africa website, which brought visibility to the EU and national partners. Our team completed five videos, two of which were added to the UNODC global YouTube, Facebook and Twitter sites and achieved a total of 1,844 views. We created a photo library based on missions to four focal counties by a professional photographer, arranged in partnership with PACS and WPA.

There was high demand from our national partners for graphic design and print production support. We assisted them to produce 48 government reports, case files and IEC materials as well as 26 different display banners, certificates and stickers. The main outcome was greater access to current information about the distinct roles, services, policies and new initiatives of our PLEAD national partners, available in English and Swahili. These products – along with our videos, web posts, workshop agendas and ongoing social media coverage throughout 2019 – included clear acknowledgement of the welcome financial support of the EU.

Challenges and solutions
Notable challenges during the reporting period included the unpredictable security situation in several PLEAD focal counties which ultimately reduced our on-ground engagement in those counties. One solution we adopted in consultation with our government partners was to hold regional forums and support the attendance of targeted participants from neighbouring counties. For example, this included Regional CUC Forums and ODPP sensitization weeks.

Despite progress, the limited operational capacity of NCAJ was another challenge. Our team was able to provide direct assistance through embedding consultants in the Secretariat. This ongoing issue issue to be addressed in 2020, primarily via the development of a new strategic plan for NCAJ.

A lack of coordination among development partners active in the justice sector heightened the risk of duplication of effort and competing agendas, creating issues for our national partners. Through greater emphasis on coordination, our team will take further preventive action in 2020.

Work plan 2020
The year 2020 will mark the mid-point of our PLEAD project. The start of a new decade signals a new chapter and fresh optimism to achieve sustainable advances in strengthening the administration of justice and operationalizing alternatives to imprisonment.

This 2019 annual report shows the PLEAD partnership is braced to build on its strong foundations. Given the momentum created during the reporting period, we can expect the pace and depth of interventions to increase. We can also anticipate the tangible impacts of PLEAD actions to become increasingly apparent, not just among officers in the justice sector, but in the wider community.

By working together in a coordinated and innovative manner, our national partners – NCAJ, the Judiciary, ODPP, PACS and WPA – are well-positioned to seize the opportunities that lie ahead in seeking to better serve the Wanjiku.

Note: At the time of publication, the COVID-19 pandemic had led to changed working arrangements for justice sector institutions and caused the postponement of all PLEAD-supported workshops and other events. The extent of shifting priorities for our national partners was still unfolding.

While aspects of our team’s support were continuing at the same pace, many of the expected delivery timelines discussed throughout this report had already been affected. Our team was in the process of consulting our national partners and the EU with a view to reshaping our technical assistance to meet the dramatic changes in our partners’ needs.
## Annex 1: Workshops and Meetings Tracker 2019

<table>
<thead>
<tr>
<th>Start Date</th>
<th>End date</th>
<th>Location</th>
<th>Title of activity</th>
<th>Type of activity</th>
<th>Lead Institution</th>
<th>Sensitization</th>
<th>Other (e.g. drafting retreat, policy development)</th>
<th>Total Number of participants**</th>
<th>Gender**</th>
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<tr>
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<td>13-Jan</td>
<td>Mombasa</td>
<td>AJS Drafting Retreat</td>
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<td>Judiciary</td>
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<td>Retreat for PACS to develop CVE Data Collection Instruments for offender</td>
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<td>Post-validation planning workshop on Diversion Policy</td>
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<td>NCAJ Bail and Bond: Workshop on M&amp;E</td>
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<td>Nairobi</td>
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**Female, Male
| Start Date | End Date | Location | Title of activity | Lead Institution | Type of activity | Gender
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<td>ODPP decision to chargertaskforce retreat</td>
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<td>WPA workshop to finalize curriculum development</td>
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* Number recorded on first day of the activity
Annex 2: UNODC Project Team for PLEAD

In 2019, our project team comprised UNODC staff and consultants. Our core project team, including senior managers who provided oversight, comprised the following members:

Dr Amado Philip de Andrés, Regional Representative, Regional Office for Eastern Africa
Ms Sylvie Bertrand, Deputy Regional Representative
Ms Charity Kagwi-Ndungu, Head, Crime Prevention and Criminal Justice Pillar
Ms Maria Temesvari, PLEAD Project Manager
Ms Joyce Matara, National Programme Officer
Ms Jeptum Bargoria, National Programme Officer
Ms Rebecca Nyandiwa, National Programme Officer
Mr Thorbjorn Bjornsson, Programme Support Officer
Mr Charles Kihunyu, Finance Officer
Ms Elizabeth Nyoike, Programme Management Assistant (Procurement)
Mr Titus Muthama Muthoka, Programme Management Assistant (Administration)
Mr Simon Murathe, Driver

Consultants and Individual Contractors:

Dr Arbogast Akidiva  Mr Steve Kinuthia  Dr Samuel Obudho
Ms Allisha Azlan  Mr Steve Koome  Dr Edwin Odhiambo
Ms Esther Chege  Mr Michael Lusweti  Dr Kennedy Ogollah
Ms Amina Darani  Ms Julie Marks  Dr Collins Oloo
Mr Allan Gichigi  Mr Benjamin Mirichi  Dr Gilbert Onyango
Mr Marcia Gillespie  Ms Andra Mobberley  Ms Irene Ombaki
Ms Mary Karanja  Mr Mohamed Sabir Jaafar Mohamed  Ms Phoebe Oyugi
Ms Njahira Karanja  Dr Catherine Mumma  Mr Stephen Pitts
Mr Paul Kelemba  Prof Bosire Mwebi  Ms Arvinder Sambei
Prof Christopher Kerkering  Ms Mariana Neves  Ms Maria Warren
Dr Sarah Kinyanjui  Mr Charles Nduati  Mr Ben Zengerink

Introduction
Section 1
Section 2
Section 3
Communications + Visibility
Other information