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PLEAD Verdict

NEWSLETTER OF THE PROGRAMME FOR LEGAL
EMPOWERMENT AND AID DELIVERY IN KENYA – PLEAD



In this issue

Broadcasting legal issues reaches over 250,000 Manderu residents	1
Enhancing child friendly justice	3
Blended Induction Programme: Probation officers have their say	5
The PLEAD partnership training legacy	7
Improving access to information for Kenya's deaf community	8
Developing the Uasin Gishu County Action Plan on Alternative Justice Systems	9
Equipping institutions to improve the administration of justice	11
Inaugural colloquium on access to justice held in Mombasa	12
PLEAD prose: Foundation for change	13
Alienated father reconnects with children after two years	13
PLEAD Brief	15

Broadcasting legal issues reaches over 250,000 Mandera residents

Tuning in to any of the four local radio stations in Mandera will lead you to songs, news and discussions on the latest social, political and religious issues.

In the North Eastern counties of Kenya, with a population of over 800,000 inhabited largely by the ethnic Somalis, radio is a constant companion in homes, shops and public vehicles. It is often mentioned that most of the Somali community's history is expressed through poems and folklore. As an oral community, ideas and knowledge are preserved and transmitted orally from generation to generation through poems and traditional stories (folklore).

Access to legal information is also communicated orally among families and friends in the area where access to lawyers, and consequently access to justice, is low especially for vulnerable and marginalized members of the community where cultural, gender and administrative impediments are ever-present.

Using radio, a channel well adapted for oral societies, Nomadic Assistance for Peace and Development (NAPAD) in partnership with United Nations Development Programme (UNDP) Kenya has reached over 250,000 Mandera residents under the *Haki Kwa Wote (Justice for All or Cadaalada Dhaman in Somali)* project. This initiative seeks to increase justice



Mohamud Abdullahi

Community at Neboi Ward, North Mandera chime in for the legal aid broadcast



About PLEAD:

The Programme for Legal Empowerment and Aid Delivery in Kenya (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. The KSh 4.2 billion programme runs until 2022 and is funded by the European Union.

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On the cover: A child-friendly justice system/Paul Kelemba/UNODC

for all with information and campaigns on legal aid. By airing legal aid conversations in vernacular over three broadcasts at Star FM, a radio station with coverage in all counties of northern Kenya – and specifically Mandera and all the seven sub-counties – listeners were able to access information to aid their search for justice information and related services.

The live broadcasts aired between January 13 and February 3 2022, were chaired by one of six paralegals trained under the programme and a religious leader.

“This is an opportunity for us as Mandera residents to speak out and seek legal aid services. We face many issues as a community and this is a platform providing information on how we can address legal issues individually and collectively as a community,” says cleric Sheikh Mohamed.

An overview on the definition of legal aid and information on the Legal Aid Act of 2016 dominated conversations in the first broadcast, while the second focused on specific legal issues affecting the community. Major issues noted during the discourse

were sexual and gender-based violence (SGBV), land and property ownership issues, corruption, public participation in governance and decision-making and access to health services.

The broadcasts parked engagement from each show as listeners called in with comments and enquiries ranging from how to access legal aid services, process to lodge complaints at the legal aid centre, to seeking clarifications on legal issues. Daqane, a listener from Hareri Town, indicated that corruption is a major setback to development in Mandera County and requested guidance to the public on reporting corruption. Engagement with the public through the radio stations has assisted the organization in designing interventions across the entire county to enhance access to justice.

The *Haki Kwa Wote* project launched in March 2019, seeks to increase access to justice through various legal aid initiatives. This initiative, funded by the European Union (EU) under the United Nations Development Programme (UNDP) Amkeni Wakenya Programme, is part of the Programme for Legal Empowerment and Aid Delivery in Kenya (PLEAD) partnership. PV



Sheikh Mohamed speaking at the third broadcast on legal aid



Communal listenership of the first legal broadcast at the Neboi Legal Aid Centre



Programme for Legal Empowerment and Aid Delivery in Kenya – PLEAD

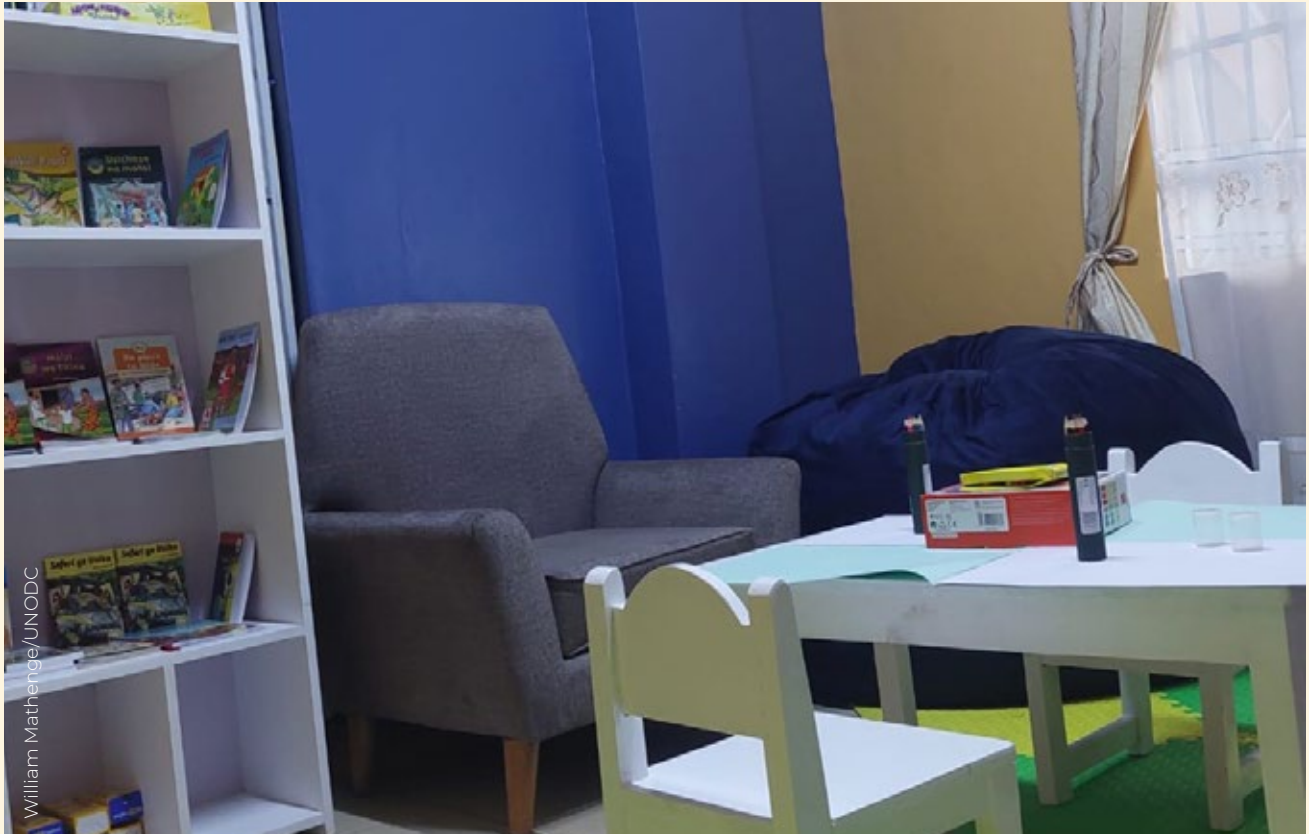


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UNODC
United Nations Office on Drugs and Crime

Enhancing child friendly justice



Equipped child friendly interview room

PLEAD seeks to ensure that friendly justice is afforded to children and youth who come into conflict with the law as well as providing support to institutions which host children while on trial.

The Office of the Director of Public Prosecutions (ODPP) developed a Prosecutor's Guide to Children in the Criminal Justice System as a tool to assist prosecutors when handling cases involving children who come into the criminal justice system. Among the key principles recognized in the guide, which was developed with technical support from United Nations Office on Drugs and Crime (UNODC), is observing the best interests of the child congruent to national and international legal instruments. In this regard, the right to have the best interests of a child given primary consideration is of paramount importance, while safeguarding the rights of an offender.

Children, who are victims and witnesses, are particularly vulnerable and need special protection, assistance and support appropriate to their age, level of maturity and unique needs. Child victims and witnesses can suffer serious physical, psychological and emotional consequences of crime and victimization; more so in cases involving sexual abuse and sexual exploitation.

Launched in November 30, 2021, the guide requires that when conducting the pre-trial court session, the prosecutor should endeavour to avoid re-traumatization of child victims and witnesses. This is to prevent further hardship and trauma that may result from their participation in the criminal justice process. The pre-trial court session is purposed to prepare the child victims and witnesses for court through an orientation of the processes involved. The ODPP has thus dedicated a Child Justice Unit, within the Children's Division, with child-friendly interview rooms in Lamu, Mombasa, Nairobi, Nakuru, Kajiado, Kisumu and Kiambu counties. The rooms are designed to guarantee a sense of privacy and meet children's needs, to make them feel physically and psychologically secure during the interview.


To further support this enabling environment, the EU and UNODC through the PLEAD partnership have equipped the rooms with video conferencing equipment to allow remote interviewing and court sessions that reduce the overall number of interviews, statements, hearings and, specifically, unnecessary contact with the justice process. This directly minimizes secondary victimization.

The rooms have also been equipped with child-friendly furniture, equipment and books to create an environment that helps isolate the children from the tension in the hearing room. These include toys, cartoons, books and other material to occupy the child and serve as stress reduction tools. They also support the child and prosecutor in providing a testimony by expanding the means they can describe the events either through art or dolls. This is in line with international best practices including the [UNODC Handbook](#) for Professionals and Policymakers on Justice in matters involving child victims and witnesses of crime.

ODPP, in partnership with UNODC and other partners, conducted a training of trainers for 56 prosecutors assigned to the Child Justice Unit of ODPP's Children's Division. The prosecutors, drawn from various counties across Kenya, were trained in two cohorts from June 6 – 10 and June 20 – 24, 2022.



The training was modelled around the child prosecution guidelines. The Juvenile Justice Task Team developed standard training decks on Principles of Child Justice, Children in Contact with the Law and Children in Conflict with the Law essentially summarizing the child prosecution guidelines.

The training also included presentations on the Decision to Charge, Child Labour, and Child Trafficking, all delivered by prosecutors. In addition to this, the training also incorporated training by experts including a detective from the Directorate of Criminal Investigations specializing in investigation of online


child sexual exploitation, a former police doctor and medical forensic expert and a clinical psychologist with expertise on child interview and play therapy skills. 

Equipment for ODPP child friendly rooms



Video conferencing: 6 counties i.e Lamu, Mombasa, Nairobi, Nakuru, Kisumu & Kiambu

-  **6** video conferencing devices, digital display screens and power distribution units
-  **12** expansion microphones and uninterruptible power supply units

Furniture & toys Lamu, Mombasa, Nairobi, Nakuru, Kajiado, Kisumu & Kiambu

-  **6** Desks, drawing table and chairs
- 12** Armchairs
- 12** Mats & cushions
- 6** Bookshelves

Stationery sets comprising 30 packets (coloured pencils, crayons, marker pens & ball point pens)

-  **600** story books for 5 different age sets (300 in English; 300 in Kiswahili)
-  **18** sets of puzzles
- 6** sets of wooden blocks

Training on child justice

In September 2022, the Development Concern Initiative (DCI) conducted a two-day sensitization forum on the Children's Bill, 2021 the Legal Aid Act, 2016 and children in conflict with the law in Wajir County. PLEAD implementing partners, paralegals and media practitioners were some of the key stakeholders who participated in the training, officially opened by Lady Rosalyn Agenyo, a Wajir Magistrate.

The training covered an overview of children in conflict with the law, the international, regional, and national legal framework, the role of paralegals in the context of children in conflict with the law, legal aid service for children in conflict with the law, human rights reporting approach, documentation, and the role of paralegals in the context of children in conflict with the law.



Wajir resident participating in the training

Blended Induction Programme: Probation officers have their say

Induction Programme for Probation Officers

Overall objective: Introduce new officers to the Kenyan criminal justice system and the Probation and After Care Service, and equip them with essential introductory-level competencies in probation practice.

Main topics:

- Introduction to the Probation and After Care Service
- Essential Probation Skills, Social Inquiries and Report Writing
- Offender Supervision and Evidence-based Offender Rehabilitation and Treatment Approaches
- Reintegration and Resettlement
- Crime Prevention
- Records Management
- Self-Care

UNODC has supported the development of this induction programme since 2019, made possible with EU funding through the PLEAD partnership.

Meet three probation officers: Ms. Masila Faith, Mr. Mohamed Ramadhan Mwanjama and Ms. Pauline Mpinda.

They were part of the first group to complete the new Blended Induction Learning Programme for Probation Officers in June 2022. This innovative programme introduced by the Probation and After Care Service (PACS) blends online modules, coaching, workplace assignments and face-to-face-training.

The three officers share their impressions of the induction programme and their new careers in probation.

Ms. Faith joined PACS almost 12 months ago and is based in Nairobi. A qualified advocate, she was attracted to probation to open her mind and learn more about offender rehabilitation.

She was among 300 new officers at PACS who attended the induction programme launch in Nairobi prior to undertaking a four-week training in May and June. "At the launch I felt probation is going places. It's getting better."

The programme standardizes induction training for probation officers and familiarizes new officers with concepts, programmes, policies and procedures of probation practice for effective service delivery. She is grateful for the dedicated induction training, especially as her senior colleagues did not have the same opportunity.



Ms. Masila Faith

"I used to think 'oh you are an offender', so I was already judging. This training made me realise we are in this together"

"It was awesome. It's given me a broader perspective of probation work by exposing me to more than I'd seen in the office. I can do my job without worrying that I am doing the wrong thing."

The online component allowed her to study when it suited her. "For someone who was pregnant at the time, it was good because when I was in the mood to read, I would read. The course was quite voluminous. If it had been delivered in a traditional way, I don't think we would have got through it all."

The 'Hit the Road' Section was of most interest. "We'd been given the introduction and when I got to this unit I thought 'I'm now doing this for real'. I know I studied law, but now I was doing probation work and it was interesting."

Her attitude has changed. "I used to think 'oh you are an offender', so I was already judging. This training made me realise we are in this together. Probation

officers deserve appreciation. We really do work. We go to some dangerous places you wouldn't normally want to go, so we can meet with clients."



Mr. Mohamed Ramadhan Mwanjama

Mr. Ramadhan joined PACS in March 2021 and works in Mombasa. He applied to be a probation officer to be of service to his country.

"Probation is a career that gives a lot to the country, in terms of rehabilitating and reintegrating offenders, listening to their human stories, preparing social inquiry reports, and coming up

with solutions to the challenges that they're facing in relation to criminality. I'm interested in serving more and more. I'm really passionate about this work."

He thought the blended training format was apt given the nature of probation work. "First, the online modules allowed for interaction with other trainees. There was a lot of reading and getting to learn. I opened all of the attachments. In asking questions it had some competitiveness, and I was top of my group."

Mr. Ramadhan has a background in sociology yet is enjoying learning about data for PACS, for example on where probationers come from and their offences. He is receiving coaching from senior colleagues to improve his data entry skills, among other aspects of his job.

"This training really is one of its kind as most training is usually face-to-face, but the integration of online and physical elements was much better. It took less than two months to get to know the job.

"Coming from that training, I'm more confident, more knowledgeable and able to do my job more diligently. The quality of my work as a result of the induction has really grown. I'm doing better reintegration reports, I know all about our service charter, and the way I tend to the clients is better. I know what my work entails. I know how to work with children officers, judicial officers."

– Mr. Mohamed Ramadhan Mwanjama

Ms. Mpinda, stationed in Isiolo, has worked for PACS since May 2021.



Ms. Pauline Mpinda

"I like probation work. I have a background in sociology and wanted to understand what causes people to commit crime, practically, and then look at the victims."

From interacting with clients aged from 17 to 52, she has observed that people are committing crime for different reasons. "Where there is a dysfunctional family or less access to education, that can contribute. Crime is normal in the culture a little bit. Some people just commit a crime, and then they repeat it, like a cycle."

She has benefitted from the induction training. "The online modules gave me time for independent learning and to internalize the entire rehabilitation process. It means that you are trained so you don't make mistakes. From the facilitators, we gained a pool of knowledge. It was actually very enjoyable to learn."

Her probation career is satisfying. "I had one client, a student expecting to sit for national exams, and he had committed an offence. I arranged a family conference, and a meeting with religious leaders and worked on the report. The magistrate was able to place him on probation. So my client went back to school and now he's waiting to start technical training."

"For me as a woman, the interaction is equal whether a client is male or female. The key is to establish a rapport by assuring them of confidentiality so that they feel they can confide in you."

– Ms. Pauline Mpinda

After completing the programme, new entrants at PACS continue their learning process under the attachment of experienced probation officers in their duty station. Continuous learning is something Ms. Mpinda looks forward to. **PV**


→ Visit: www.pacs.ksg.ac.ke

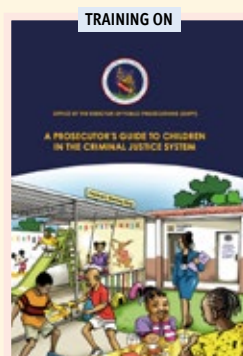
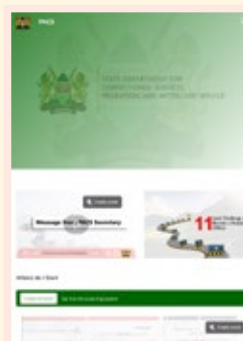
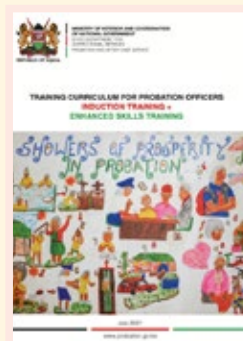
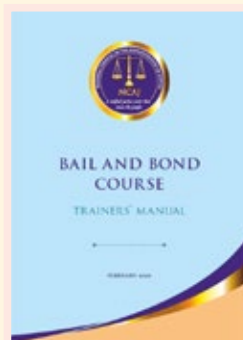
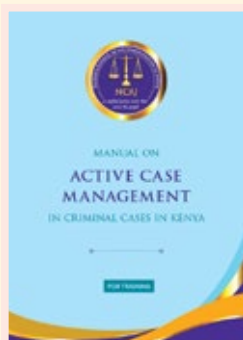
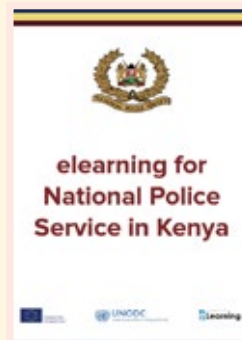
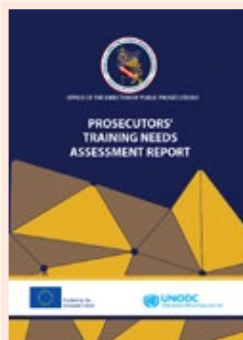
The PLEAD partnership training legacy

The far-reaching impacts of training on the professionalism, specialized skills and expertise of officers is expected to be a major legacy of the PLEAD partnership.

The development and roll-out of tailored training programmes has been a core support area. It has involved training needs assessments, curriculum development, and the design and launch of training programmes involving face-to-face or online learning, or a blend of both. So far, 21 training-related resources have been created for justice

institutions with technical support from UNODC and EU funding through PLEAD. See a selection below.

Among the “firsts” achieved are the first ever eLearning course for the National Police Service which was launched in 2020, the ODPP Diploma in Public Prosecutions, and comprehensive induction programmes for probation officers (see story), volunteer probation officers and prosecutors. More PLEAD-supported training resources are due to be completed in the coming months. 



Improving access to information for Kenya's deaf community



Ms Kagwi-Ndungu speaking at the launch in Machakos on 22 September

“For a long time we’ve been left behind so we’re seeking fair opportunities.”

That was the sentiment of a deaf law student, Ms. Ashura Michael, as she reflected on access to justice for the deaf community at a PLEAD-supported event held to mark International Week of Deaf People 2022. Ms. Michael was among the speakers at the event hosted by Deaf Empowerment Kenya (DEK) at the Machakos Youth Centre.

The event marked the launch of posters featuring Kenyan Sign Language illustrations that aim to demystify the roles of the police and prosecutors, and explain bail and bond. DEK Chief Executive Mr. Joseph Gari explained via an interpreter that the posters were the result of collaboration between DEK, UNODC, European Union, National Police Service and ODPP.

“We are building an inclusive community for all so that we can support the deaf community despite their challenges with communication. These posters explain to a deaf person how the justice system works in a way they can actually identify with,” Mr. Gari said.

The participants discussed further improvements needed in the criminal justice system to ensure the protection of rights of all persons who are differently abled, consistent with the Constitution.

“For all *Mwananchi*, entering the court process can be a daunting experience, and much more so when people don’t speak the third official language in

Kenya. These posters are intended to empower you when you enter those offices so you understand your rights,” the Head of the Crime Prevention and Criminal Justice Pillar for UNODC in Eastern Africa, Ms. Charity Kagwi-Ndungu, said.

“Our joint work with Deaf Empowerment Kenya has presented highly-educated legal professionals with a completely new learning curve and forced them to consider your needs in their daily practice. These are small steps on a longer journey and the European Union is committed to making it easier for all members of your community and any other person living with a disability to access to justice in Kenya.”

– EU Delegation to Kenya

The posters are to be displayed at police stations, courts and ODPP offices across the country and are available for download from: www.dekkenya.org. Further products are under development with the Judiciary and ODPP.



This poster was jointly developed with the National Police Service with illustrations by Robert Lubang'a

Developing the Uasin Gishu County Action Plan on Alternative Justice Systems



Brendah Achungo

Uasin Gishu Court Users' Committee Alternative Justice System (AJS) working group at Nakuru AJS Suite

The Centre for Human Rights and Mediation (CHRM) has been working closely with paralegals and elders from *Kipgaa*, to ensure the indigent population can access justice that upholds international human rights standards through alternative means. The organization has built the capacity of *Kipgaa* elders on areas of law and human rights related to their mandate through the '*Haki na Uadilifu Mashinani*' project with the EU and UNDP support .

This has positively enabled women, persons living with disabilities and widows to access affordable and accessible justice and progressively contributed to forestalling matters that would otherwise have ended up in the Court system and cause backlog as captured in the *Kipgaa* Alternative Justice System (AJS)/Alternative Dispute Resolution (ADR) reports available at CHRM registry. ADR fosters and restores lost relations in societies. The professional approach of *Kipgaa* to disputes after training has enhanced community's embrace for ADR.

CHRM has been at the forefront of coordinating referral mechanisms on AJS/ADR among other actors. CHRM facilitated the local Court through its CUC Sub-Committee on AJS to develop the Uasin Gishu County Action Plan that would streamline and operationalize AJS and assist the Courts to fulfil its

constitutional mandate under Article 157 (2) (c).

Implementation of the AJS Policy requires a clear and concise understanding of available informal and traditional justice systems, actors, their contacts, and mandate and how they can enhance access to justice. Courts require to understand them in order to enhance its protection, respect, promotion and transformation.

It is within this backdrop that CHRM jointly with the National Steering Committee on the Implementation of Alternative Justice Systems Policy (NaSCI-AJS), Kituo Cha Sheria, and the Eldoret Court Users` s Sub-Committee on AJS Policy retreated to develop a model befitting the jurisdiction that would coordinate, support and enhance Court-Annexed AJS in Uasin Gishu County.

The retreat held in Nakuru County on 26th - 29th of July 2022, engaged participants on AJS Human Rights Framework and AJS imperatives of practice, strategic and constitutional imperatives. The justice needs of the County were identified through a research questionnaire that had earlier been shared and the prevailing AJS initiatives such as *Kipgaa*, Boda Boda, sex workers associations and market committees among others were identified.



Brendan Achungo

Uasin Gishu CUC AJS working group attending Nakuru AJS Suite

A strength weakness opportunity and threat (SWOT) and build, exploit, eliminate and mitigate (BEEM) analysis of the identified AJS mechanisms was undertaken through group work. It was agreed that all identified existing mechanisms be mainstreamed and accelerated.

Due to lack of engagement with youth in most AJS mechanisms, it was noted that there has been high level of institutional memory gap at the exit of elders who are custodians of traditions and cultures, hence the suggestion to supporting with documentation of autonomous AJS mechanisms in existence. The Chief Magistrates Court in Eldoret has already adopted the CHRM and trained *Kipgaa* elders as a Court Annexed AJS referral mechanism and is already screening cases and referring some to them. The Court has asked that CHRM shares with them the *Kipgaa* elders' reports on dispute resolutions for the 224 cases under CHRM's custody to form the initial data on AJS for the court from where they will build up. CHRM has been invited to assist the Court in establishment and operationalization of an AJS registry/chamber at the High Court.

There was an exchange visit at Nakuru AJS Suite situated at the Nakuru Law Courts where participants directly witnessed AJS Court Annex practitioners conduct AJS. This enriched the working group who learnt a lot and were motivated to operationalize AJS

in Uasin Gishu County. A validation workshop of the model was held on 23rd September, 2022 by the plenary CUC and other stakeholders before being fully rolled out. **PV**

CHRM was able to implement this activity supported by EU and UNDP Kenya through the Amkeni Wakenya Project as part of the PLEAD, a partnership involving the Government of Kenya, European Union, United Nations, and civil society, towards improving the delivery of justice services and use of alternatives to imprisonment.



Brendan Achungo

Justice Ngugi (NaSCI CHAIR) together with other participants

Equipping institutions to improve the administration of justice

In 2018, as the PLEAD partnership was getting under way, a UNODC Baseline Study found that many offices of the supported criminal justice institutions did not have the required equipment to carry out their duties effectively. This was especially apparent at partners' offices in the programme's focal counties in marginalized areas: Garissa, Isiolo, Lamu, Mandera, Marsabit, Tana River and Wajir.

Since then, considerable effort and EU financial support has gone into closing the equipment gaps. Key to this process has been consultation and coordination with each institution.

Determining the equipment needs of each PLEAD partner, confirming specifications, undertaking procurement and then delivering the equipment to offices across the country has been a major undertaking by UNODC. In 2020, an equipment needs assessment obtained insights from officers at all levels within partner institutions and uncovered diverse office equipment needs based on the workflow along the justice chain, right from investigations to the dispensation of justice. Additional, urgent equipment needs emerged as the COVID-19 pandemic presented unprecedented challenges to the justice sector.

“There has been the delivery of equipment to the most needy of stations, especially those in the marginalised counties, to ensure the needs of those partners were actually addressed and this has involved significant investment,” the UNODC Regional Head of the Crime Prevention and Criminal Justice Pillar, Ms. Charity Kagwi-Ndungu, said.

ICT equipment has dominated the equipment needs. In total, 607 laptops, 30 video conferencing facilities, 246 printer/scanners, 37 production scanners and 30 mobile Wi-Fi modems have so far been delivered to criminal justice partners. Yet office stationary and cleaning supplies were also needed. The response was the so-called ‘Office in a Box, which contained a



Flashback: the first two PLEAD-funded laptops were handed over to the ODPP office in Lamu, March 2019

range of products, from pens, staplers and waste bins to first aid kits, power extension leads, mops and detergent.

Before laptops, a desktop computer and a printer/scanner were delivered to the ODPP office in Lamu – the site of the first delivery of PLEAD-funded laptops in 2019 – the prosecutors had to wait patiently to use the office computer and visit neighbouring offices to seek printing favours or pay at shops in order to prepare their documents needed in court.

“This equipment has really benefitted us a lot and enhanced the delivery of our services,” the Assistant Director of Public Prosecutions and Head of Office for ODPP in Lamu, Mr. Brian Pratt Ayodo, explained.

“For instance, it means we’re able to photocopy statements by witnesses and provide them to the court at the time they are taking their plea. At the same time, we’ve fully rolled out ODPP’s UADILIFU case management system because every prosecutor and office clerk has their own computer, so we’re able to synchronise. As files come in, we can scan and work on them. This has kept our work moving. When court hearings are virtual, we’re able to participate efficiently from our desk,” Mr. Ayodo said.

Equipment provided includes:

607

laptop set
ups



10

Digital voice
recorders



30

Mobile Wi-Fi
modems



30

videoconferencing
facilities



246

printers



21

Voice distortion
devices for witness
protection boxes

679

Uninterruptible
Power Supplies
(UPS)



37

production
scanners



Inaugural colloquium on access to justice held in Mombasa

Human Rights Agenda (HURIA), in partnership with the University of Nairobi, Mombasa Campus, PLEAD partners, and with the support of UNDP, convened key access to justice actors at the coast, on 17th - 18th March 2022, for a two-day access to people-centered justice colloquium. Over one hundred traditional and non-traditional access to justice actors, including community members, community paralegals, advocates, academics, judicial officers, development partners, and CSO representatives, attended the "Towards People-Centered Delivery of Justice at the Coast" colloquium. In attendance, were also representatives from the ODP, the National Police Service, and a variety of independent commissions.

The purpose of the colloquium was to identify and address systemic barriers associated with access to justice, which, if left unaddressed, would cause and exacerbate other legal and non-legal issues and entrench social disadvantage in the Coastal counties and across the nation. A preview of the state of access to justice at the Coast, a reflection on the role of civil society in enhancing access to justice, perspectives on the independence of the Judiciary and the delivery of justice, a discussion on enhancing access to justice for vulnerable groups, and rethinking justice by embracing ADR, AJS, and restorative justice were among the topics.

This colloquium, the first of its kind on the Coast, marked a major milestone by bringing together state and non-state actors in a single session, demonstrating the effectiveness of collaboration and coordination in achieving the goal of providing individuals with access to justice. The colloquium was



Stephen Githaiga

PLEAD partners sharing their experiences on the role of Civil Society Organisations in enhancing access to justice

successful in addressing the key issues and concerns impeding access to justice on the coast, as well as providing a forum for different stakeholders to share their perspectives, challenges, and experiences on their journey to accessing justice and upholding the rule of law. In addition, it has assisted in identifying the role of each actor and the best practices that can be implemented to ensure that the poor and vulnerable have access to justice.

In addition, it has prompted all parties involved to consider alternatives to the formal criminal justice system, such as ADR. This has also illuminated the importance of ICT in accessing justice and how to more effectively implement it within the court system. **PV**



Stephen Githaiga

Conference participants

PLEAD prose

Foundation For Change

*Look at my smartness within
Check at my new actions
Look at my back
It shows the new change of character
My new direction gained from Probation.*

*When I was a little girl
Nobody cared much for me
I learnt bad behaviour, was in bad company
I would not sleep at home
But today Probation cares for me.*

*I used to steal people's property
I ended up in court, then Probation
I have experienced new foundation for change
I no longer steal, sell or abuse drugs
I am determined to change for good.*

*I have a valid dream to be a pilot in future
I believe I will fly up beyond the sky
Children! Children! who are in trouble
Come! Come! To Nakuru Probation Girls' Hostel
We are the best foundation for Change.*

THANK YOU!

*By a Probationer, 14, Nakuru Girls Probation Hostel
Poem published courtesy of the Probation and After Care Service
Name withheld for privacy reasons*

Alienated father reconnects with children after two years

In recent weeks Kevin Likhanga, a resident of Nairobi for the past ten years, has been beaming with joy despite having experienced a tumultuous patch over the past two years. In early 2020, barely a few days after the Kenyan government announced a lockdown to curb the spread of the coronavirus, Kevin's marriage crumbled, and he lost access to two of his three children.

"At the onset of the coronavirus pandemic my wife relocated to Mwamba Village in rural Kakamega County (Western Kenya) with two of our children while one remained with me. I was depressed and missed my children, but I was clueless on where to seek assistance," says the 37-year-old who ekes out a living as a motorcycle courier in Koinange Street.

"Initially, I went to Nairobi's Milimani Children's Court but I wasn't conversant with the legal procedures to seek custody and access. Thankfully, a registry official directed me to the National Legal Aid Service (NLAS) after I explained my financial predicament which hampered my ability to engage a lawyer. On arriving at the NLAS offices, I was warmly received by a lady who gave me a check-list of documents I needed to fill and submit. She then referred me to a legal officer who counselled me on self-representation," says an elated Kevin.

Subsequently, in August 2021 the then distraught father filed a case in court and in July 2022 he saw his children for the first time since his marriage broke down.

“When I initially visited the NLAS offices, I was downcast, as I didn’t have access to my children who I sorely missed. NLAS facilitated the return of my joy, I am a happy father because of the support they offered me. Earlier, I was clueless about the welfare of my children but currently we are able to speak on phone and they update me about their welfare, “ says Kevin who adds that he’s since referred other men in need of legal aid to NLAS.

Edith Kimani, a senior clerical officer at NLAS recalls her initial encounter with Kevin: “The first time I met him he looked depressed. I took some time to counsel him and then enabled him to access legal services. Today he’s jovial and each time he visits our office I notice his confident has grown.”

On 29th August 2022 the matter was mentioned in court and currently both parties are considering mutual consent on parental responsibilities.

NLAS has been supporting many people like Kevin with legal advice, drafting court documents and training on self-representation. Between 1st July and 9th September, the organization served 1,895 clients who sought its services.

Established under the Legal Aid Act 2016, Laws of Kenya, it is mandated to among other things facilitate the provision of legal aid services in a coordinated manner to the indigent, vulnerable and marginalized citizenry, by ensuring that the services are accessible, affordable, accountable, transparent and efficient. **PV**



Access to justice features prominently in the 2030 Agenda for Sustainable Development, whose Target 16.3 of Goal 16 is about promoting the rule of law at the national and international levels and ensuring equal access to justice for all. Legal aid is a key element of access to justice.



Zachary Mbugua


Every month, NLAS enables hundreds of people like Kevin Likhanga to access affordable, fair and timely legal aid services.

PLEAD Brief

Witness protection boxes

The Witness Protection Agency (WPA) provides special protection to threatened or intimidated witnesses to ensure their security and welfare is guaranteed when testifying in court. Protected witnesses can testify via video conference link, where those facilities exist and do not pose a security risk, or in-person in a court room, so long as their identity is concealed.

To assist, WPA and UNODC have collaborated on the design and construction of 21 custom-made witness protection boxes which will be delivered to court stations from October. Rather than being permanent fixtures in court rooms, the boxes will be portable. The design has been modified to enable the assessment of the demeanour of the witness by the judicial offer, in compliance with the law.

The boxes are being fitted with voice distortion equipment to provide an additional protection layer for the witness. The box design also enables the witness identify the accused person without compromising his or her own identity. 



Useful links

PLEAD government partners

Department of Justice	www.statelaw.go.ke
Judiciary	www.judiciary.go.ke
National Council on the Administration of Justice (NCA)	www.ncaj.go.ke
NGOs Coordination Board	www.ngobureau.go.ke
Office of the Director of Public Prosecutions (ODPP)	www.odpp.go.ke
Probation and After Care Service (PACS)	www.probation.go.ke
Witness Protection Agency (WPA)	www.wpa.go.ke

Key dates

October

- 14 AJS Forum in Madogo, Tana River
- 24 United Nations Day
- Installation of solar panels at court stations

November

- 19 Legal Aid Conference, Nairobi.
- 25 16 Days of Activism Against Gender-Based Violence
- PLEAD II signing ceremony

December

- 9 International Anti-Corruption Day