



The European Union

PLEAD

Programme for Legal Empowerment and Aid Delivery in Kenya



Access to legal aid and assistance is enhanced especially for the poor and vulnerable.

About the Project

The 'Programme for Legal Empowerment and Aid Delivery in Kenya' (PLEAD) is a five-year programme. It seeks to strengthen the legitimacy of the rule of law through enhancing efficient delivery of justice and alternatives to imprisonment in the Kenyan Criminal Justice System. This is in accordance with Goal 16 of the 2030 Agenda for the Sustainable Development Goals (SDGs). This project is notable as it will address the various factors that hinder the efficient delivery of justice in the various institutions in the justice sectors, through engagement with key justice sector actors. The PLEAD project is co-financed by the European Development Fund (EDF), UNDP and UNODC with a budget of EURO 34,150,000 and complements investment in similar areas by the Government of Kenya. ►

Objective

The project has four interlinked and mutually supportive results:

Outcome 1 – Access to legal aid and assistance is enhanced, especially for the poor and vulnerable.

This is through support to the Department of Justice to ensure implementation of the new legal and regulatory framework on legal aid, and support to Amkeni Wakenya, UNDP's led facility supporting local Civil Society Organisations (CSOs) and which has, among its objectives to, ensure that the local civil society continues to contribute to the delivery of legal aid services under the new framework and under the supervision of the Department of Justice.

Outcome 2, 3 and 4 are implemented by United Nations Office on Drugs and Crime (UNODC).

- **Outcome 2** – Court administration and case management are strengthened nationally and in 12 focal counties. This outcome focuses on the Judiciary and includes technical assistance, training, equipment and infrastructure to build the capacity of the courts of primary jurisdictions (Magistrates' Courts) and their supervisory authorities to deliver justice in a manner that is expeditious and compliant with the Bill of Rights enshrined in the Constitution of the Republic of Kenya.

- **Outcome 3** – Quality and efficiency are increased in the criminal justice system. This outcome aims to increase the ability of the judicial system to handle and determine criminal cases in a manner, that is expeditious and compliant with the Bill of Rights, Support will be provided to different actors within the justice chain, including the Office of the Director of Public Prosecutions, the Kenya Probation and Aftercare Service, and the Witness Protection Agency. Given the congestion of prisons in Kenya and the conditions of detention prevailing in these institutions, alternatives to imprisonment will be promoted in this outcome.

- **Outcome 4** – Coherence, cooperation and collaboration within the justice sector are improved by capacity-building of the National Council on the Administration of Justice. This outcome responds to the basic premise of the programme, where the effectiveness of the justice system can only be improved if it integrates the functioning of all actors of the underlying chain. This outcome also ensures that project implementation in the 12 focal counties, informs the policy process at national level for the purpose of increased ownership and sustainability.



Context

Courts face heavy backlogs and struggle with court management and administration, while many of the remote counties (including those in the Northern Kenya Counties) are significantly under resourced. Independent prosecution by the ODPP is also new and having only begun with the Constitution of Kenya 2010. In addition, the right to legal aid and witness protection, despite being entrenched in law, is limitedly implemented due to capacity, geographic and other structural challenges.

Further, prisons are overcrowded due to limited use of bail, bond and non-custodial sentences. In addition, these institutions are under-staffed and under



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capacitated, which then contributes to long trial periods. There has also been reports of corruption in the system, which can be cured by automated case management systems.

Target Counties

While implemented nationally, the programme shall also have a targeted perspective. The programme will apply the SDG principle of leaving no one behind by channelling its county focus to seven marginalised counties - Wajir, Mandera, Lamu, Tana River, Marsabit, Isiolo and Garissa. In addition, there will be a targeting approach, one which will seek to work in five urban counties - Kisumu, Nairobi, Mombasa, Uasin Gishu and Nakuru.



Coherence, cooperation and collaboration within the justice sector are improved by capacity-building of the National Council on the Administration of Justice



Quality and efficiency are increased in the criminal justice system

Implementing agencies

Government of Kenya
 Department of Justice, United Nations Development Programme (UNDP), United Nations Office on Drugs and Crime (UNODC).

Beneficiaries

Judiciary of Kenya, the Office of the Attorney General and Department of Justice (OAGDOJ), the Office of the Director of Public Prosecutions (ODPP), the Kenyan Probation and Aftercare Service (KPAS), the Kenya Witness Protection Agency (KPWA), the National Council on the Administration of Justice (NCAJ) and Civil Society Organizations working on legal aid provision.

Aim

The project implemented aims to achieve the following;

1. Enhanced access to justice especially for the poor and vulnerable; through creation of awareness on the Legal Aid Act 2016, training of legal aid providers, public legal education, establishment of legal aid information centers and supporting CSOs to provide complimentary Legal Aid Services
2. Court administration and case management strengthened; through an effective case flow management system, reduction in prison overcrowding and reduction in the backlog of cases.
3. Increased quality and efficiency in the criminal justice system; through improved quality of services through training of personnel, a Criminal Justice sector that is streamlined with the Constitution and Bill of Rights, and strengthened support of the court systems to ensure that accountability of criminal perpetrators.
4. Improved coherence and co-operation through the justice sector; through enhanced criminal justice system ensuring consistent and timely resolution of criminal matters, and enhanced user satisfaction with the delivery of court services

EU support to Kenya

The European Union and its Member States are the biggest providers of development assistance to Kenya. This support is based on Kenya's development strategy Vision 2030 where Kenya sets out how it plans to use good governance and democracy as a key pillar of the country's development.

For more information visit: www.eeas.europa.eu/delegations/kenya_en