

LINDA HAKI

PROJECT
(Protect, Justice and Rights)

Increasing access
to Justice for women and girls



Access to Justice for women and girls amidst the
COVID-19 pandemic



Changing You, Transforming All!

About Linda Haki Project

Despite the high number of Kenyans in need of legal aid services there still remains a significant challenge with accessing legal information, advice and legal representation. While the government does provide legal aid services to indigent persons, it does so in a limited manner. Legal aid is only available to accused persons charged with capital offences such as murder and facing trial in the High Court. Other criminal offences do not attract legal assistance from the state, exposing the accused persons to the rigors of the adversarial justice system. It is against the forgoing that the **Center for Rights Education and Awareness (CREAW)** funded by the European Union through **UNDP Kenya's Amkeni Wakenya** CSO facility under the Programme for **Legal Empowerment and Aid Delivery in Kenya (PLEAD)** project, are implementing the Linda Haki project in Nairobi's informal settlements.



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2020 began on a higher note with many expectations to accelerate the rights of women and girls, especially access to justice in Kenya and across the world. Instead, with the onset of the COVID-19 pandemic, critical gains made in achieving equality for women and girls were rolled back. Apart from creating a myriad shift in day-to-day life, the pandemic also wreaked havoc on the livelihoods of households with women and girls at the center of it all.

Throughout the pandemic, we have seen aggravated levels of impunity against women and girls. The lockdowns, curfews and other social restrictions enforced by the government to slow down the spread of the virus only meant that women and girls living in violent marred homes, continued to be trapped with their abusers and isolated from resources and networks that could help them. These, coupled with the lack of or limited access to shelter, judiciary scaling down their activities and in some instances shutting down courts, as well as the shift to online adjudication of matters during the pandemic, access to justice and support services for survivors proved to be a challenge hence the escalation of violations of the rights of women and girls.

With the foregoing challenges to access to justice for women and girls, the Center for Rights Education and Awareness (CREAW), has been at the forefront providing the much needed essential support services to women and girls. Right from the onset of the pandemic, we adapted our interventions in the community to provide remote services to survivors. Under the auspices of the Linda Haki project, implemented by CREAW in partnership with UNDP Kenya in the informal settlements of Nairobi (Kibra, Kamkunji and Makadara), a total of 2127 survivors(570 male, 1557 female) of violence have been supported to access legal support services during the pandemic.



Protecting women and girls through the pandemic



Scaling-up access to justice services for women and girls amidst the pandemic

Establishment of GBV hotline

The uptick in violence against women and girls across communities in the wake of pandemic movement restrictions, impacted on the protection efforts by CREAM and other line actors necessitating a shift in the usual way we provide services. Most of our support services to survivors transitioned from physical (face-to-face) to virtual (phone and online) platforms.

The establishment of a dedicated GBV hotline-0800720186, saw a rise in the number of women and girls calling to report violations, access tele-counselling and shelter services, legal aid as well as

referral to other support services. The uptick of cases ranges from 53% when Kenya first went into lockdown in the early months of 2020 to 64% currently.

With the support from grassroots community champions and messaging on community radios and social media, CREAM has been able to publicise the hotline that now has an overflow of cases reported even from the counties in the outskirts of Nairobi.

*Nafula (not her real name) a survivor of domestic violence recounts how the events of an early October 2020 morning left her and her younger children hopeless and homeless. Her husband of three years



had turned against her; what started as verbal insults progressed real quick into physical abuse leaving her bruised and with no home to shelter.

She says it was not the first time that the husband was abusive to her. At one point, he hired youth from the estate to beat her up.

“When I first called CREAM’s helpline I was able to talk to a counsellor who made me feel much better and referred me to a shelter.” says Nafula who has now exited the shelter and was reintegrated back to the community.

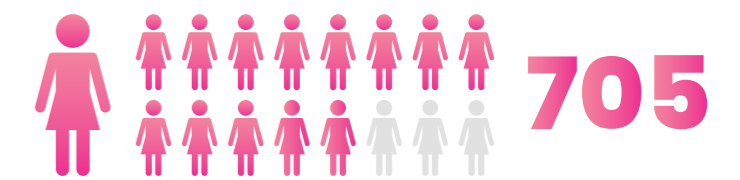
With support from UNDP Kenya, CREAM has adapted its interventions among them support services for survivors to ensure survivors like Nafula, mostly living in the informal settlements of Nairobi are able to receive the much needed psycho-social and legal support to begin to recover and rebuild their lives beyond the pandemic.

Psycho-social support services

To ensure survivors mental wellness and safety, CREAM purposed to engage survivors in individual and group therapies to help them deal with the trauma from violations and build resilience. With the remote service adaptations, most counselling sessions were done through phone and zoom platforms.

974 survivors have benefitted from the psychosocial services provided by the professional counselors. 427 cases were held through one on one platforms and 545 virtual platforms.

Total number of adult male-96, adult female-705, 18 boys, 117 girls, 22 couple counseling sessions and 16 family therapy.





Legal Aid Services

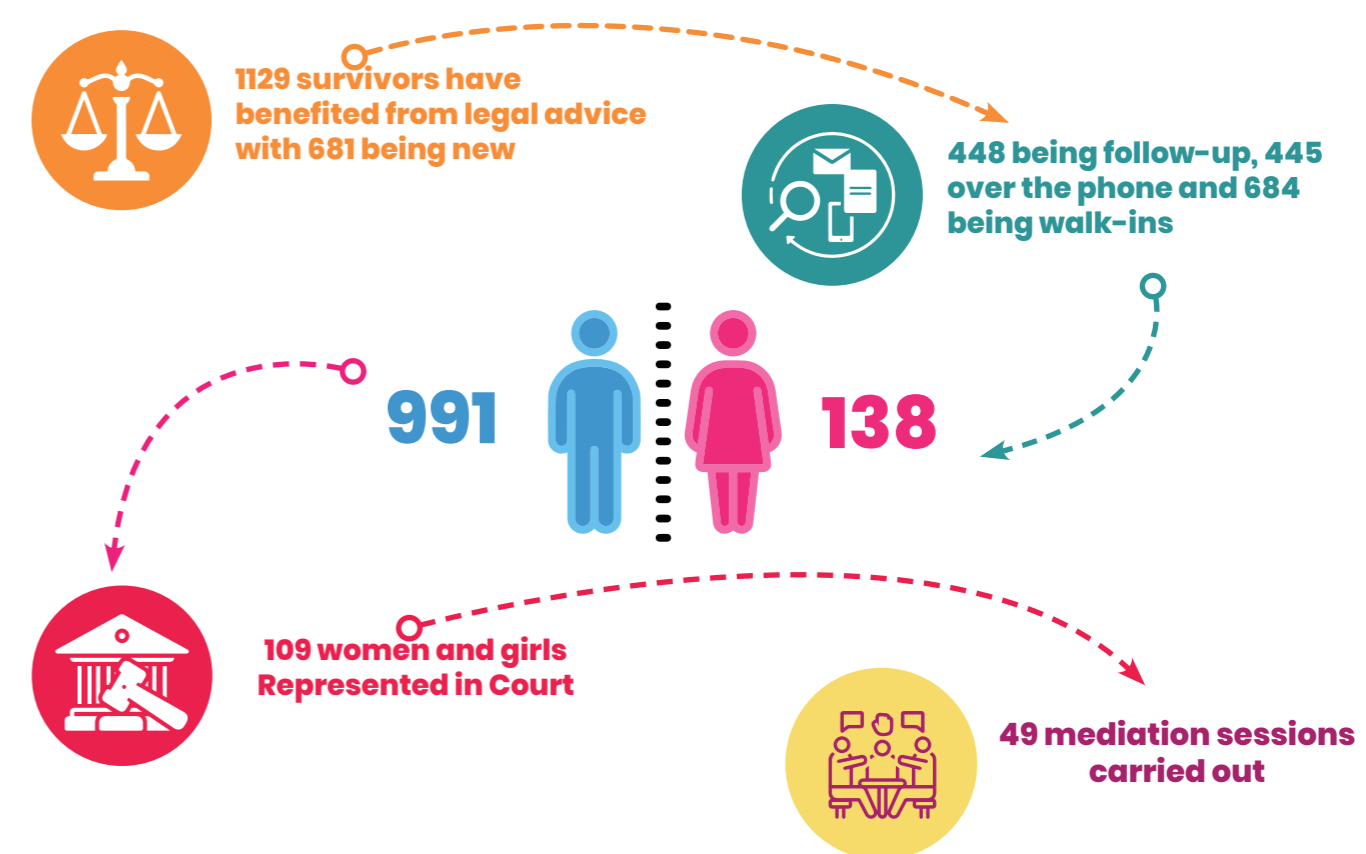
Our free legal aid interventions across communities has enabled survivors, majorly women and girls, especially from marginalised and low income households to rise beyond financial hurdles to claim their rights and access justice- the nature of cases so far include those of sexual offences, domestic violence, child neglect among others.

As part of our responses to the COVID-19, our hotlines remained open for legal queries and requests for free court representations. We also conducted legal aid clinics in Kibra, Kamkunji and Makadara informal settlements. This is intended to bridge the gap of legal aid services, educate communities on court processes and legal rights as well as decentralize legal service provision to the grassroots.

Number of women and men receiving pro bono legal assistance, advice and representation on GBV cases.

“The toll-free line receives calls even late into the night with survivors making frantic calls to report abuse and some seeking to be rescued to safe shelters. In such times we have to look for available resources to help them...in all times we have to keep communicating with survivors especially those who are suicidal to help them cope and deal with the issues affecting them...we have made great progress because and we see other survivors also sharing the toll-free line with their friends who are going through the same ordeals so that they are able to be supported, says Nareah Odera, Lead Counsellor at CREAM who has been providing psycho-social support to survivors through the toll-free line in the wake of the COVID-19 pandemic.

Nereah Akoth - Senior counsellor, CREAM



Month	Total Number	Court Representation	Successful Mediation	Filed Cases
October 2020	111	8	11	12
November 2020	22	23	6	24
December 2020	136	22	6	6
January 2021	384	20	3	8
February 2021	364	32	9	24
March 2021	356	49		37
April 2021	386	60		37



Legal mentees experiences providing legal aid to women and girls amidst COVID-19

When Brenda Kiriimi heard of a legal aid clinic in her school at Jomo Kenyatta University of Agriculture and Technology (JKUAT), she was curious to find out what it was all about. Lucky enough, the lecturer in charge of coordinating the camp on campus, Ms. Milka Wahu, advised her to apply for an opportunity to serve the community, as she learns on the tenets of law.

Luckily for Kiriimi, the 3rd year Law student, managed to be among 12 students, who were picked in the first ever Linda Haki mentee cohort. The Linda Haki project implemented by CREAM with the support from the United Nations Development Programs (UNDP) aimed at increasing access to justice and legal aid services for the poor and vulnerable women in the informal settlements of Nairobi specifically Kibera, Kamukunji and Makadara.



“For the past 1 year, I have been able to interact with women at the community level. Most of the cases are the ones I came across during the legal aid clinics in the

community. This opened my eyes to the sad reality of women and girls who are struggling to access justice due to financial constraints,” Narrates Brenda.

Before the COVID-19 pandemic struck, the project mentees were able to accompany CREAM lawyers in courts and gained first-hand experience of lawyers representing clients in court. However, after the pandemic struck, Judiciary opted to conduct digital court sessions with the prospect of having matters heard and finalized despite the crisis.

Bismark Lumumba, is another Linda Haki mentee, who appreciates the transition period, as it gave him an opportunity to be at the forefront, when digital legal services were offered.

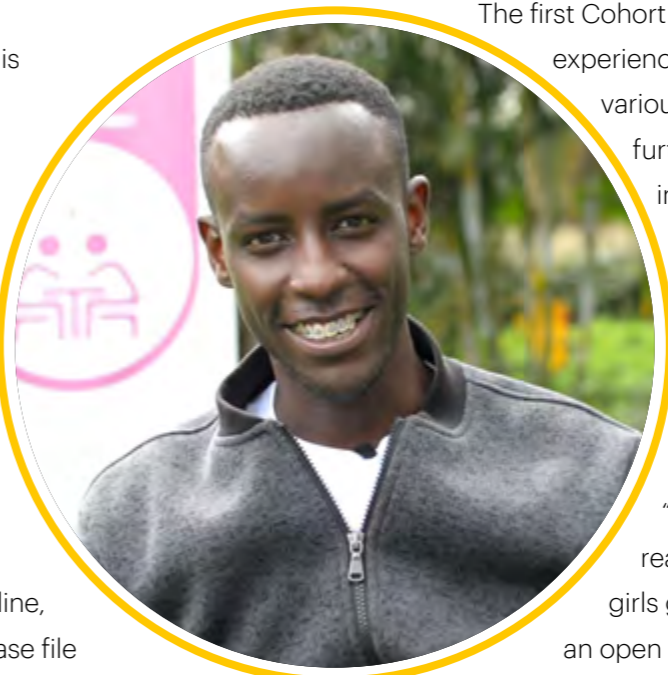
“It was generally online, I would prepare a case file and send it to my supervisor. I also honed my skills in drafting legal pleadings and legal research,” says Bismark.

At the height of the COVID-19 pandemic, cases of Sexual and Gender based Violence increased. In December 2020, a report by the National Crime Research Center indicated that incidences of gender based violence had increased by 92 percent in the period of January and June compared to that of January and December in 2019, with murder, sexual offences, defilement, grievous harm, physical abuse, child neglect and child marriages taking the larger chunk of cases.

Similarly, the Center for Rights Education and Awareness (CREAW) has received increased cases of women and girls reporting violations. On average, CREAM would receive 20 cases in a month, however, with the Covid-19 pandemic, the numbers have spiked to 34

cases necessitated by the social and economic effects of COVID-19 on women and girls. Consequently, the demand for legal and psycho-social support was on the rise. It is to this end that the legal aid clinics continued in the community, in observance of the COVID-19 rules. “Am lucky to be among the people who are at the forefront in salvaging our society. I have come across many horrifying cases that have left me emotional, but I celebrate at the end of the day, when I serve a client and help them access justice,” Comments Bismark.

The first Cohort completed its one year mentorship experience, with majority already aware of their various areas of specialization when they further their studies. Their advice to the incoming team;



“I have learnt to be kind and even listen more to survivors. Sometimes that is all they need. A listening ear,” Brenda Kiriimi

“The project has opened my mind to the realities of life and challenges women and girls go through in pursuit of justice. Having an open mind helped me understand clients more,” Judith Chepkorir.

“Whatever I learnt in school is just a tip of the iceberg, since we are taught the minimum. For someone that is joining the program, be ready to learn and unlearn,” Moses Ogutu.

Pictorial Highlights



CREAW celebrated and supported the Nairobi County IWD celebrations held in Kasarani on 5th March, 2021. The procession from the Roysambu Roundabout to convergence at the DCC's grounds was to rally & raise women's voices and celebrate their achievements.



The Kibera women champions as part of the Kibera Gender Advocacy Network held a procession from the 42 terminus to the Laini Saba Amref grounds on 8th March, 2021. The procession was to bring awareness to the IWD as well as the plight of women and girls across several spheres. The convergence brought together stakeholders from within Kibera sub county and Nairobi county to highlight the gaps in access to justice for women and girls.



CREAW also supported and celebrated on 9th March, 2021 with the Daughters of Kenya: a registered National Trust Organization incorporated under the Trustees (Perpetual Succession) Act Cap 164 of the Laws of Kenya that work to improve the lives of the vulnerable girls and young mothers in Kenya to foster leadership of young women and girls by amplifying the voices of activists in Embakasi region working to prevent and end violence against women and build confidence of the champions in the campaign against gender inequality.



Together with the International Association of Women Judges-Kenyan Chapter, CREAW marked this year's International Day to highlight the challenges survivors face in accessing justice and the role of judicial officers, CSOs and government in bridging the gaps in access to justice more so for women and girls during and beyond the COVID-19 pandemic.





Community Sensitizations

Radio messaging

With the ongoing pandemic, vernacular radio stations that communities can easily identify has proven to be a powerful way to educate communities on matters that concern their rights and also give communities a platform to voice out their opinions through call-in shows, more so on the power imbalances that promotes violence against women and baricades to access to justice.

The Linda Haki project has utilized the use of community radios such as Ghetto Radio, Pamoja Fm and Mtaani radio to educate survivors and communities on where they can access GBV services- the hotlines and line actors within their localities as well as get legal information, share experiences and device solutions to issues that affects survivors and the entire communities. Throughout our radio campaigns, some of the topics tackled includes GBV, safe spaces for women and girls, accountability for GBV service delivery as well as celebrating community champions at the forefront in ensuring women and girls are well protected and are able to claim their rights.

Utilizing virtual communication tools

Platforms like Zoom, twitter, facebook, instagram and youtube have come in handy in enabling virtual conversations among communities and stakeholders.

#LindaHaki in tweets



Community Champions in action

Margaret Odumbe, an ardent defender of the rights of women and girls in Nairobi's Makadara informal settlements, says, because of the massive losses of jobs during the pandemic, women and girls have been left wallowing in hopelessness and with no means to provide for their families- a matter that has increased economic stress in many households hence fuelling violence against women and girls.

"It is sad that in this day and age, women and girls continue to experience violence. It is even worse that the pandemic has disrupted the support services that are meant to ease their suffering," says Margaret, who is among the 69 community activists supported by the Linda Haki project implemented by the Center for Rights Education and Awareness in partnership with the UNDP Kenya and EU.

Together, they (activists) have been in the forefront in helping survivors of gender based violence access the much needed support services within their localities- from referrals of cases to CREAM and other relevant GBV service providers, to watching briefs for survivors in court and at times providing counselling, they have continued to walk the healing journey with survivors and by extension the women and girls during the pandemic.

