

UNIVERSITY OF NAIROBI

SCHOOL OF LAW

**A Thesis submitted in Partial Fulfillment of the Requirements for the Degree
of Master of Laws (LL.M.), University of Nairobi, Kenya.**

TOPIC:

**ACCESS TO CRIMINAL JUSTICE IN KENYA: A CASE
STUDY OF KIBERA**

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Access to justice for the poor has been elusive in many respects. Existing dispute resolution mechanisms and structures in Africa were imposed upon the people through colonialism. The legal profession in East Africa for example is an alien institution far removed from the lives of ordinary people. Courts of law are still inaccessible to many. The language of the law is technical and almost archaic. These factors coupled with rampant poverty and the culture of political intolerance and corruption, combine to make justice an extremely rare commodity for the majority of the people. It is not surprising therefore that one of the main issues that cries for constitutional recognition is the manner in which justice is dispensed...The road to justice for the poor is riddled with systemic biases and non-systemic constraints.¹

1.1. Background to the study

Access to justice broadly refers to the ability of persons to have their grievances addressed in court in a fair, rational and cheap manner. Primarily, the concept of access to justice is, however, broader than the ability to access courts of law. The former encompasses the latter.