Closing Session

Mr. Mikinao Kitada, Director of UNAFEI, Japan

Mr. Shinichi Matsuura, Deputy Resident Representative to Kenya, JICA

Hon. Mr. Amos Wako, Attorney General of the Republic of Kenya

Mr. Ole Kwallah, Director of the Children's Department, Kenya

Please note that the following papers have not been edited for publication. The opinions expressed therein are those of the author's. They do not necessarily reflect the position of the departments or agencies that they represent.

ADDRESS

By
Mr. Mikinao KITADA
Director of UNAFEI

Honorable Attorney General of the Republic of Kenya; Honorable Vice President of the Republic of Kenya, Mr. George Saitoti; His Excellency the Japanese Ambassador to Kenya, Mr. Morihisa Aoki; distinguished guests and participants of the Kenya-UNAFEI Joint Seminar, ladies and gentlemen.

The Joint Seminar between Kenya and UNAFEI is now closed. As the Director of UNAFEI, I would like to offer my congratulations to all the distinguished participants for their completion of the Joint Seminar.

At the same time, I would like to express my sincere gratitude and appreciation to the Government of Kenya and JICA for their generous understanding, strong support and great cooperation in successfully carrying out this Joint Seminar.

In this Seminar, we dealt with various issues related to juvenile justice, not only in the Kenyan and Japanese context, but also from an international perspective. I am very grateful that in each session of the Seminar, eminent experts and high-ranking officials kindly chaired and presented in the respective topic sessions. Every presentation was well-prepared, informative and very comprehensive. Moreover, discussions were always of great value and very stimulating. I admire the sincere commitment and dedication of all the Seminar participants.

I truly believe that this Joint Seminar provided all of us with a forum to discuss the various issues in order to build effective and efficient juvenile justice systems. Moreover, our common interest in the welfare of juveniles, motivated earnest study and produced results beneficial to us all. I have no doubt that such a valuable outcome will encourage all of us to improve our capacity to treat juvenile delinquents in a fair, legitimate and humane way.

Through the Seminar, UNAFEI has learnt a lot about the current situation and challenges in Kenya. This information will be very useful for the enrichment of future International Training Courses and Seminars at our Institute.

At the same time, it is our hope that the presentations from UNAFEI and our discussions, are of some use to you in the development of effective strategies for the prevention and control of juvenile delinquency, and for the enhancement of the juvenile justice system and its administration, in Kenya.

Ladies and Gentlemen, I would like to stress that this Joint Seminar is of great significance, in that criminal justice personnel from all components of the system have met at one place; shared the related problems of their system; jointly examined practical ways and means to solve problems; and identified the necessary coordination and cooperation required. I sincerely hope that the officials of the Kenyan criminal justice system will work in concert to further develop their efforts in facing contemporary challenges.

I genuinely hope that UNAFEI will be able to further contribute to the development of a more effective and efficient criminal justice system in Kenya.

Lastly, I truly wish for the continued betterment of crime prevention and criminal justice in Kenya, as well as for the further development of closer and friendlier relations between the people of Kenya and Japan.

Thank you.

ADDRESS

By
Mr. Shinichi MATSUURA
Deputy Resident JICA Representative, Kenya

The Attorney General of the Republic of Kenya, Mr. Amos Wako,
The Permanent Secretary, Ministry of Home Affairs, Heritage and Sports. Mrs. Bernadette Musundi,
The Director UNAFEI, Mr. Mikano Kitada,
The Chairman, Judicial Training Committee, Justice Tonui
Distinguished Guests Ladies and Gentlemen,

I feel greatly honoured, on behalf of JICA, to have been given this opportunity to make a few remarks regarding this Kenya-UNAFEI joint Seminar.

First of all I wish to thank the Kenyan Government, the Judicial Training Committee, the resource persons and the UNAFEI experts for their effort and contribution that have made this Joint Seminar successful. JICA is very grateful for this.

The JICA association with UNAFEI goes back to 1981 when JICA started sponsoring seminars aimed at furthering and realising UNAFEI objectives, which have been directly or indirectly given during the course of this seminar since Tuesday. So far UNAFEI has had its joint seminars in Asia. JICA, Kenya office, is delighted to be associated with this seminar being the very first UNAFEI Joint Seminar outside Asia and the first in Africa.

Mr. Chairman, with globalisation and advances in information technology, the future and success of nations in curbing crimes and addressing emerging issues, to a large extent will depend on co-operation and interdependence of governments and agencies. In this respect it is appropriate and encouraging that UNAFEI is extending its operations and networks to other regions of the world. Kenya is privileged to be the first to host a Joint seminar with UNAFEI in this region.

Ladies and gentlemen, as you are aware the issue of street children and their plight is a worrying matter, not only for those who live in urban areas but also their local and foreign visitors. With increased poverty and unemployment, the rate of crime inevitably increases. Therefore the importance of effective co-ordination and co-operation of all criminal justice agencies in the administration of juvenile justice cannot be over emphasised. For Kenya, this seminar has been organised and held at an appropriate time.

In this respect, this seminar I believe has not only strengthened the relations that exist between Kenya and UNAFEI/JICA in area of juvenile justice and juvenile delinquency but has made recommendations that, if implemented, will go a long way towards alleviating juvenile delinquency and promoting the adherence to the rights of the child as enshrined in the various United Nations Conventions. I am sure that participants have benefited greatly from the deliberations of the seminar and that the contact made will further bring the people of Kenya and Japan closer.

JICA looks forwards to seeing the implementation of what has been learnt during this seminar so that the administration of juvenile justice is effectively enhanced.

Finally I wish the participants a safe journey home and success in implementing the recommendations made during the seminar.

THANK YOU.

CLOSING SPEECH

By
Hon. Mr. S. Amos WAKO
E.G.H., EBS., MP.
Attorney General of the Republic of Kenya

Your Lordship Judges of the Court of Appeal,
Your Lordship Judges of the High Court of Kenya,
Our distinguished guests from Japan,
Honourable Magistrates and Deputy Registrars,
Members of the Law Society of Kenya,
Members of the legal fraternity,
Distinguished guests,
Ladies and Gentlemen,

I feel very honoured today to be part of this historic seminar and to be present on the last and most important day. A seminar whose objective was to find ways of promoting and sustaining an effective system of administering Juvenile Justice in Kenya.

I am aware that the specific objectives were to:-

(1) Explore ways and map out strategies that will promote co-operation and co-ordination of the Juvenile Justice Agencies.

(2) Sensitize and emphasize the importance of such co-ordination.

(3) Identify the weaknesses and come up with ways that will strengthen the Juvenile Justice System.

(4) Sensitize the public on international conventions that provide for the children's rights.

I am certain these objectives have been achieved as I can see that you have had presentations from as far away as Japan and as near as Uganda. These presentations have included wide-ranging topics such as:

(1) Juvenile Justice System in Japan.

(2) The Role of Public Prosecutors in Juvenile Justice in Japan.

(3) Policing Juvenile Justice in Japan.

(4) The Role of the Family Court in the Administration of Juvenile Justice in Japan.

(5) The Role of the Family Court Investigators in Japan.

(6) Institutional Treatment of Juvenile Delinquents in Japan.

(7) International Instruments in the Field of Juvenile Justice.

(8) Unicef Approach in the Administration of Juvenile Justice.

(9) Juvenile Justice Reform – Uganda Experience.

Our distinguished visitors have also heard what happens in Kenya from the Kenyan participants. The participants have been drawn from:

: The Judiciary
: The Attorney General's Office
: The Police
: The Prisons
: The Children's Department
: The Probation and After Care Services
: The C.I.D. and
: The NGOs

A proper administration of the justice system is the cornerstone of a properly functioning criminal justice system and also an integral part of any successful country. Juvenile Offenders have to be carefully handled to ensure that they do not become social misfits and a burden to society as a whole. As a society we must endeavor to ensure for the juvenile a meaningful life in the community, which, during that period in life when she or he is most susceptible to deviant behaviour, will foster a process of personal development and education that is free from crime and delinquency. Here in Kenya, this seminar could not have come at a more opportune time. It comes at a time when we are poised to reform the administration of Juvenile Justice. It is therefore essential that we learn and benefit from the experiences of countries such as Japan and even closer home, Uganda.

I therefore wish to thank UNAFEI and JICA for the initiative taken to bring the Kenyan Juvenile Justice agencies together. I wish also to put my utmost appreciation to the Japanese government for the assistance given which made the holding of this seminar possible. The Japanese government has over the years shown by word and deed that it is a great friend to Kenya.

As we come to the close of this seminar I would personally wish to urge and encourage the Kenyan Juvenile Justice Agencies to build on what has been laid down at this seminar and come together to map out strategies that will enhance the performance of the tasks entrusted to them to make the passage of the child through the Juvenile Justice System less painless and traumatic than it is now.

While it is true that the Juvenile Justice Systems in Kenya is still in its infancy yet the government is committed to improving this. This commitment has been demonstrated by the fact that we have a very comprehensive children bill 2001 which is currently being debated by the national assembly and which should be enacted before the end of this year.

This bill has addressed most of the concerns that have been voiced at this seminar. It has recognized the rights of the children, which are enforceable in a court of law. The children bill which is consistent with internationally and regionally provisions relating to the welfare of children. It recognizes the principle that in all actions concerning children whether by judicial, administrative, public or private institutions the first and paramount consideration must be the welfare of the child.

The judiciary has already set up the family court. It is set to address the issues relating to children in a child friendly atmosphere.

While the theme of the conference was the co-ordination of the juvenile justice agencies in the interests of the children, you have discussed and made resolutions on a wide-ranging topic. You have discussed such topics as community based treatment of children, non criminalising of children, children in conflict with the law and children in need of care and protection. Yet this is but the beginning. The hard work of implementing these resolutions lies ahead.

I wish to assure you that the government and my office supports you and will do everything possible to ensure that resolutions reached at this seminar are implemented in the interests of all our children whose rights we must protect. The success of the Juvenile Justice System lies in the co-ordination and co-operation of all the various departments of government and the civil society acting together in concert. This seminar has brought all of us together and this must be maintained if we are to fully implement your resolutions for the benefit of the juvenile.

Distinguished participants, ladies and gentlemen I wish once again to take this opportunity to thank the sponsors who made this seminar possible, our distinguished guests and experts from Japan for their invaluable input, the judicial training committee and other officers seconded to the committee from the relevant bodies for their concerted efforts in making the seminar a resounding success.

To all of you the participants I wish to also thank you for taking time out of your very busy schedules to be present here today for the last four days. Your participation and recommendations will no doubt go a long way in streamlining the effective administration of juvenile justice.

With those remarks, I declare this historic seminar officially closed.

Thank you.

CLOSING SPEECH

By
Mr. Ole KWALLAH
Director of the Children's Department, Kenya

The Hon. Attorney General of The Republic of Kenya Hon. Amos Wako,
Your Lordship Chairman Judicial Committee Hon. Justice P.K. Tunoi,
Your Lordship Judges of Appeal,
Your Lordship High Court Judges,
The Commissioner of Prisons Department,
Director Probation and aftercare Senior Officers from the Police, Prisons, Attorney General's Chambers, Children's Department, Probation Department, N.G.O's representatives.

It gives me great honour to speak on behalf of the participants of this seminar to express our heartfelt gratitude to the people of goodwill who have made this seminar possible.

I am very pleased to note that unlike many meetings and seminars that are held in Kenya, this is a very important seminar that has successfully achieved all the objectives set out at the onset.

This seminar has been a great eye opener to all of us in the administration of juvenile justice, marks an important step forward in the effective co-ordination of juvenile justice agencies as the theme reads.

I would like to assure our others from UNAFEI, JICA the Japanese Government that we shall do all within our means to systematically implement the recommendations of this workshop, and to maintain the spirit of close collaboration between all the Justice agencies in achieving the set out goals.

May I take this gracious opportunity to express our sincere gratitude to;

- His Lordship the Chief Justice of Kenya, for agreeing to host this Seminar.
- His Lordship the Chairman Judicial Training Committee for taking time out of his busy schedule to prepare for this seminar, and for specifically taking time from his annual leave to make sure that this program succeeds.
- May I extend special thanks to the Director United Nations Asia and Far East Institute of Crime Prevention and Treatment of offenders UNAFEI Mr. Mikinao Kitada, for the close collaboration that he has maintained with the government departments in technical training of personnel from the Justice system.

We feel greatly honoured.

I wish to specially thank the government of Japan through His Excellency Morihisa Aoki, outgoing Ambassador to Kenya for his very kind understanding of this country and agreeing to co-officiate the opening ceremony of this workshop.

Last year he found time as well from his busy schedule to officiate a workshop held by the Children's Department in conjunction with JICA and UNAFEI short-term experts.

I extend our sincere gratitude to the Permanent Secretary Office of the Vice President and MOHA for her support and encouragement. The Commissioner of Prisons for realizing his very senior officers to participate in this seminar.

The Commissioner of Police, Director Probation and Aftercare, and CID for authorizing the

participation of very highly placed officers throughout this seminar.

Special thanks go to the Hon. Attorney General Amos Wako for allowing the Director Public Prosecution and his assistant to attend in person to give resource to this meeting. May I give very special thanks to the Hon. Attorney General for accepting to officially close this very important meeting.

Ladies and Gentlemen, the list is not endless but allow me to extend our sincere gratitude to You Lordship Judges of the High Court of Kenya for your participation in ensuring this seminar is successful.

I wish to extend special thanks to the sub committee of the Judicial Training committee which was chaired by Mrs. Wachira, and representation from my department, police, A.G.'s , prisons department, c.o.s. national coordination for JICA.

On behalf of distinguished participants in this seminar, I would like to extend our very sincere gratitude to JICA Kenya office for financial support which has made this meeting possible, and all the governments departments who have contributed funds to enable their officers to participate.

Our sincere gratitude go to the UNAFEI professors who have contributed to work closely with our government and my department.

This has been truly an exemplary integrated approach to tackling the issues of juvenile justice in Kenya. It is through the great contribution of each and everyone of you that this meeting has been a success.

May I as well thank all the participants who have been here for the past four days for their active participation in deliberating on issues of effective co-ordination of juvenile justice.

The resource persons who agreed to give presentations and facilitate in this seminar have done a great job and each and every one of you who sacrificed a lot including your sleep have made a remarkable contribution to this country I believe you will live to rejoice the success of your effort in future.

I wish to extend sincere thanks to the devoted team which has rendered very high quality services at the Secretariat to make this seminar possible. And finally the Hotel Management and the cooks who have made some of the participants gain a few kilograms from their delicious meals.

With those few remarks Thank you Very Much and God Bless you.