



Issue: JN26-09

Justice Nest September 2026 Monthly Newsletter

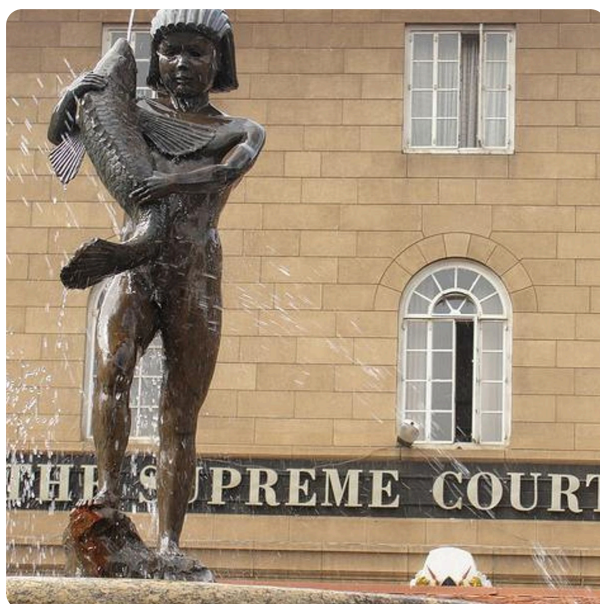
The Other Side of Justice: When the Complainant Defines What Justice Means  

Dear Friends,

When we talk about justice, we often ask whether the accused person's rights were protected. We debate bail, legal representation, sentencing, and prisons. These conversations matter. They are essential to a fair justice system.

But there is another question we do not ask often enough. What does justice mean for the victim? Over the years, I have sat with people on both sides of the justice system. I have listened to women inside prison carrying the weight of regret and separation from their children. I have also listened to victims carrying fear, loss, anger, and unanswered questions that no court judgment can fully erase.

One truth has become impossible to ignore. A conviction does not automatically create healing. A prison sentence does not always restore what was lost. And a legal process, even when it is fair, can leave victims feeling unseen.



 **Hamilton Fountain (Onyango), outside the Supreme Court in Nairobi, is meant to portray justice as blind, naked and slippery and at the same time as fearless as a boy.**

Justice cannot simply be about closing a case. It must be about acknowledging harm, restoring dignity where possible, and ensuring that victims are not forgotten once the courtroom falls silent.

At Justice Nest, our commitment to fair trials and meaningful participation has never been about choosing one side over another. It is about building a justice system that recognizes the humanity of everyone it touches. A system that protects rights while taking victims' experiences seriously. A system that holds people accountable while asking how communities can heal.

This month, we explore the other side of justice. We reflect on what victims need beyond a verdict, the role of restorative approaches in addressing harm, and why true justice must create space for accountability, healing, and hope.

Because justice is strongest when it restores trust, not only in the law, but in the possibility of healing after harm.

I am so grateful to all our clients who have trusted us with their cases and the victims who have accepted to engage to seek a mutual agreement that serves both sides of justice.

Thank you for being part of this journey.

With gratitude and purpose,

Miriam Wachira

Founder & Executive Director

Justice Nest

There Are Three Sides to Every Case



 **Kenya 5-Shilling Coin (USD 0.04): Minted as a special-issue, nonagonal 5-shilling coin in 1973. A nonagon has 9 sides.**

They say there are three sides to every story: the complainant's, the accused person's, and the truth. In criminal matters, we see it as the complainant's story, the accused person's story, and the determination of the court.

Through our work at Justice Nest, we have come to understand that justice ceases to be a single, standardised outcome when criminal matters are resolved outside the traditional trial setting. Instead, it becomes a personalised remedy tailored to the unique needs and desires of the victim.

Most cases we interact with begin with a simple question to the victim: **"What would justice look like to you?"** The answer is often compensation, getting back what was taken. However, many victims speak from a point of ignorance, believing a criminal case will lead to the court compelling the accused person to compensate them, which is a fallacy. This is where we take time to explain the outcomes of a criminal case while opening their minds to avenues of receiving their desired outcome.

Case Studies: Justice Through ADR

Margaret was charged with stealing by servant. When we contacted the victim, a police officer, she informed us that all she wanted was to recover the clothes allegedly stolen. Upon further persuasion, she conceded that she knew the accused had no money, and even if the clothes were returned, they would not be usable. She proceeded to say that it was enough that the accused person had been in pre-trial detention for three months and had learned her lesson. To her, this was justice.

Mercy was charged with offensive conduct. She and her neighbour could not see eye to eye. Through ADR, an

harm. There was a dispute between herself and the victim, who got hurt in the process. The victim noted that Pauline was expectant and, being a mother herself, agreed to forgive her while requesting compensation for costs incurred while receiving treatment. Her forgiveness served as justice.

In six similar matters arising from uncontrolled anger, and in one matter arising from unemployment and bad company, the accused persons were each willing to reconcile and seek forgiveness. Through ADR, the complainants agreed to resolve the matters out of court. Reconciliation and

apology to the complainant was enough closure and was justice to her.

Pauline was charged with grievous

forgiveness were justice to them. The accused in the unemployment matter was also advised to seek alternative means of earning a living.

🚩 When Trust Is Broken, What Does Repair Look Like? ❤️



📸 :A Set of Keys that Started Everything

Faith had given Carol a set of keys before she gave her a formal contract. Carol had worked in Faith's household for four years. Then Faith discovered that money and other belongings were missing. The financial loss mattered, but the deeper wound was betrayal.

When she reported the matter, she wanted Carol to acknowledge what she had done, return the money, and explain what had happened to the trust between them. She was initially suspicious of mediation, fearing it would let Carol avoid accountability. Once the process was explained, she agreed.

During the facilitated ADR, Carol acknowledged what she had taken and explained that she had repeatedly told herself she would repay it before anyone noticed. A repayment schedule followed, together with a written undertaking. Faith was satisfied and assured of getting her money back. Through this repair, Faith and Carol may yet rebuild the trust that was lost.

⚖️ When Withdrawal Becomes a Choice



📸 :These ladies are Friends: One was the Complainant and the Other was the Accused.

Phillis was charged with stealing by servant after her employer, Cecilia, suffered a financial loss of approximately KSh 18,500 (USD 145) arising from unpaid customer bills. When our team engaged Cecilia, she said she did not believe Phillis could repay the money. However, Cecilia also believed that Phillis had already suffered enough. She therefore chose to withdraw the matter without seeking compensation.

Cecilia's decision challenged the assumption that a complainant will always want financial restitution or a criminal conviction. She had experienced a genuine financial loss, but her understanding of justice had changed in light of Phillis's circumstances. She attended court, confirmed her role as the complainant, and, with no objection from the prosecution, the matter was withdrawn under Section 202 of the Criminal Procedure Code.

For the Justice Nest team, the experience highlighted the importance of speaking directly with complainants rather than assuming what they want from a case.

Cecilia's decision challenged the assumption that a complainant will always want financial restitution or a criminal conviction. She had experienced a genuine financial loss, but her understanding of justice had changed in light of Phillis's circumstances. She attended court, confirmed her role as the complainant, and, with no objection

from the prosecution, the matter was withdrawn under Section 202 of the Criminal Procedure Code.

For the Justice Nest team, the experience highlighted the importance of speaking directly with complainants rather than assuming what they want from a case.

When Justice Meets the Truth: How ADR Helped Prevent a Wrongful Conviction



WHEN JUSTICE MEETS THE TRUTH:

HOW ADR HELPED PREVENT A WRONGFUL CONVICTION

Why? Theft allegation involving approximately KSh 567,000 (USD 4,400)

Who decides? The complainant elected to withdraw the complaint; the Court allowed the withdrawal

Duration? Proceedings ended after the complaint was withdrawn

Goal? Establish the truth, prevent a wrongful conviction, and achieve a just outcome through constructive engagement and ADR

In a separate matter, a mother supported by Justice Nest was arrested and charged with stealing approximately KSh 567,000 (USD 4,400) from a complainant. She denied the allegation, and the case against her was largely circumstantial. She faced imprisonment, loss of livelihood, and a criminal record. Justice Nest's legal team looked beyond the charge and found that the money had already been recovered.

Through continued engagement with the parties and relevant authorities, the facts were clarified. The complainant acknowledged the

recovery and chose to withdraw the complaint under Section 204 of the Criminal Procedure Code. Satisfied that there were sufficient grounds, the court allowed the withdrawal, ending the proceedings and leading to the mother's acquittal.

The case shows that justice is not always a conviction; sometimes it is truth, restoration, and closure as understood by the person directly affected.

Read the full story here: <https://www.justicenest.org/stories-details/54>



Kintsugi and the Complainant's Voice in Search of Accountability



Shattered trust is like a broken bowl repaired with kintsugi, the Japanese art of mending cracks with gold. The break is not hidden; it is acknowledged, filled with gold, and made part of a stronger, more beautiful whole.

When KSh 50,000 (USD 385) went missing from a shop in Mombasa, LMK reported the matter to the authorities. The person suspected was Saumu, a 20-year-old shop attendant who had travelled from Nairobi to Mombasa in search of better opportunities.

Saumu was arrested and subsequently charged at Shanzu Law Courts. Unable to raise the bail terms, she was remanded at Shimo La Tewa. During a legal awareness session, Saumu learnt about Justice Nest and later approached the team for legal assistance.

For LMK, the loss was not simply financial. Her trust had been shattered like broken bowl. She felt violated and was initially unwilling to consider withdrawing the case.

When the team reached out to LMK, she made it clear that she wanted accountability. She wanted the harm she had experienced to be acknowledged and wanted the money returned. She also wanted an apology. Rather than assuming what justice should look like for her, the engagement provided LMK with an opportunity to express what she needed from the process. Through dialogue, she eventually became open to an alternative resolution.

The parties agreed that the money would be repaid and that LMK would attend court to withdraw the matter. LMK attended court and formally withdrew the case. For her, the resolution was not simply about withdrawing a criminal case. It was about whether the process had responded to the harm she experienced. It was justice repaired like kintsugi: the crack was not hidden or forgotten. It was acknowledged, filled with accountability, apology, and restoration, and made part of a new whole.

LMK's experience reminds us that the complainant should not be treated merely as a witness in a case. Their concerns, expectations, and understanding of a meaningful resolution are an important part of the justice conversation.

PARTNERSHIPS

Workforce Elevation Facilitation/Introduction Meeting

Justice Nest has partnered with Workforce Elevation, a construction company whose corporate social responsibility program provides training and employment opportunities. Through this initiative, people are trained as masons, painters, and other construction workers, learning to use the company's products. Upon completion, they receive a starter kit and are helped to find job placements at construction sites across the country.



 :During the Workforce Elevation Facilitation / Introduction Meeting

Justice Nest referred five mothers to the programme. Workforce Elevation has since requested government approval to commence the training. Once underway, these five mothers will have a livelihood opportunity, earning a daily wage that will enable them to support themselves and their families.

Justice Nest recently attended a facilitation and introduction meeting at Workforce Elevation in Ruiru-Kihunguro. Attendance was full, and the meeting was positive. The women interviewed confidently and passed, with the directors committing to onboard all of them. Justice Nest's Social Support Office had already conducted home visits and believes the women are capable of the roles. We were also encouraged by Workforce Elevation's plan to provide psychosocial training before they begin, strengthening wellbeing, resilience, communication, and workplace coping skills.

Bridging the Digital Divide in Justice: ComputerAid Donates 20 Computers to Justice Nest 🙏



📷:Some of the 20 computer received from ComputerAid

Justice Nest sincerely thanks ComputerAid for donating **20 computers (10 laptops and 10 desktops)**, in support of our mission and vision. ComputerAid's mission is to bridge the digital divide and use digital technologies to overcome disadvantage in environmentally friendly ways. Through their IT disposal, they

reuse as much as possible, reducing the carbon footprint of assets while creating new opportunities through digital access.

Ten desktops have been deployed to Shimo La Tewa Prisons, where they will be used by paralegals in their work under the supervision of correctional officers. This directly strengthens access to justice for incarcerated persons. The remaining computers will be used by the Justice Nest team to enhance productivity, case management, research, and communication.

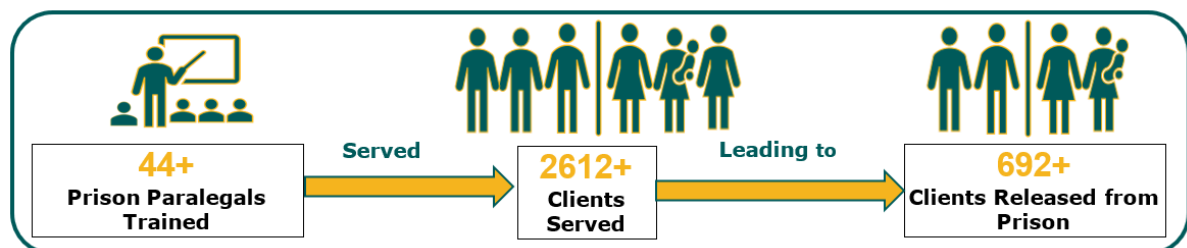
Thank you, ComputerAid, for believing in a future where technology creates a digital bridge to justice. Your support helps Justice Nest continue to serve, advocate, and pursue justice for those who need it most.



IMPACT AT A GLANCE

Prison Paralegal Program- Bridging the Justice Gap

The **Prison Paralegal Training Program (Bridging the Justice Gap)**, equips inmates and prison officers with legal education to improve access to justice. We have **44+ trained prison paralegals** who have served **2,612+ clients**, contributing to **692+ client releases** and helping ease prison congestion while restoring dignity.



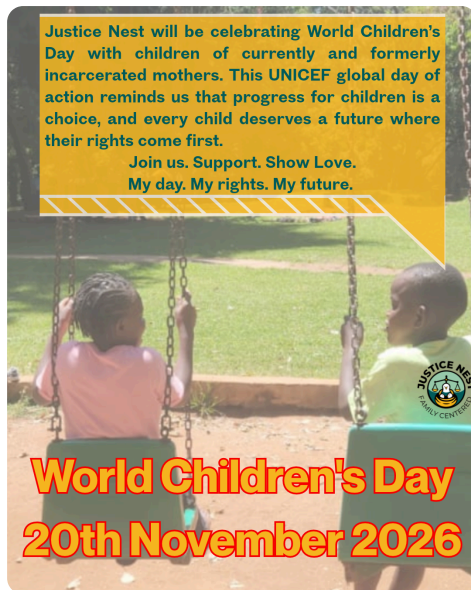
Children & Mothers Diversion and Restorative Justice Program- Mending The Nest.

Through the **Children and Mothers Diversion and Restorative Justice Program (Mending the Nest)**, we work to prevent the imprisonment of mothers and children by addressing poverty, trauma, and social inequalities. We have supported **288+ mothers**, helped secure **170+ releases**, and reunited **359+ children with their families**.



17 UPCOMING EVENTS

🎉 World Children's Day: Giving Children of Incarcerated Mothers a Day to Remember 🦁



On **20 November, World Children's Day**, we mark the adoption of the Convention on the Rights of the Child. It is a day to put children first.

At Justice Nest, we are planning a fun-filled day for children of currently and formerly incarcerated mothers at **Nairobi National Park**. For many of these children, it will be their first time visiting a national park, an experience of a world they may have never known, even in a country famous for its wildlife.

So far, 359 children have been reunited with their mothers and many more have their mothers still in custody. We want to give these children a memorable day full of fun, therapy, and gifts. **Join us in making this day special.** Support Justice Nest to help pay school fees and buy school supplies for these children.

Website: www.justicenest.org/donate

Lipa-Na-Mpesa: 4699532 Acc/No: Your Phone Number

SUPPORT THIS DAY

🎂 Save the Date: Justice Nest Turns 3! 🎉



Justice Nest at ONE!



Justice Nest at TWO!

On 3rd December 2026, Justice Nest will host a fundraising dinner to celebrate our 3rd anniversary. We will also be launching our Strategic Plan and unveiling our Communication Strategic Plan.

Join us for an evening of celebration, reflection, and impact as we continue supporting children of currently and formerly incarcerated mothers. Your support helps us to continue with our programs tackle the root causes of incarceration,

offering legal support, rehabilitation, and reintegration opportunities to help individuals rebuild their lives.

Through our **Children and Mothers Diversion and Restorative Justice Program (*Mending the Nest*)**, we work to prevent the imprisonment of mothers and children by addressing poverty, trauma, and social inequalities. By providing pro bono legal aid, counselling, life skills training, and economic empowerment, we keep families together and ensure that children are protected from the long-term consequences of parental incarceration.

Through our **Prison Paralegal Program (*Bridging the Justice Gap*)** we equip inmates and prison officers with legal education to improve access to justice . By training paralegals within prisons, we enable incarcerated individuals to advocate for themselves and assist fellow inmates with legal matters , ensuring fairer trials and reducing prison congestion. Through peer-to-peer legal aid and strategic partnerships, we empower those behind bars to challenge systemic injustices and navigate the legal system effectively .

Mark your calendar. Details to follow!

♥ JOIN THE MOVEMENT

Help Us Turn Knowledge Into Justice

Your support helps us:

- 📖 **Deliver legal education**
- 👩 **Train paralegals**
- 👤 **Support vulnerable mothers and individuals**
- 👪 **Reunite children with their mothers strengthening families**
- ⚖️ **Expand access to justice**

Together, we can build a family-centric justice system that is fair, accessible, and empowering for all.

Share. Support: www.justicenest.org/donate

LIPA NA mpesa

PAYBILL NUMBER

4	6	9	9	5	3	2
---	---	---	---	---	---	---

ACCOUNT NUMBER

YOUR PHONE NUMBER

CLICK HERE TO DONATE



2nd Floor Ridgeview Place, Ridgeways Road, off Kiambu Road, Nairobi. Kenya

This email was sent to {{ contact.EMAIL }}.

You've received this email because you've subscribed to our newsletter.

[Unsubscribe](#)

Copyright Justice Nest 2026