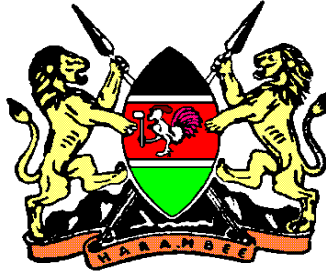


REPUBLIC OF KENYA



**TASKFORCE ON REVIEW OF THE LAWS RELATING TO THE EXERCISE OF
THE POWER OF MERCY UNDER ARTICLE 133 OF THE CONSTITUTION**

PUBLIC HEARINGS

The Power of Mercy Advisory Committee is a Constitutional Committee established under Article 133(2) of the Constitution of Kenya and operationalized by the Power of Mercy Act, 2011 with its core mandate to advise His Excellency the President on the exercise of the power of mercy.

The Hon. Attorney General vide *Gazette* Notice No. 7382 dated the 25th September, 2020 and *Gazette* Notice No. 10186 of the 30th November, 2020 established a Taskforce on Review of the Laws relating to the exercise of the power of mercy under Article 133 of the Constitution.

The Terms of Reference of the Task force are to:

- (a) undertake a comprehensive audit of the existing legislation, regulations, policies, administrative procedures, sessional papers, government guidelines and circulars relevant in the implementation of the power of mercy under Article 133 of the Constitution;
- (b) identify any gaps or inconsistencies in the existing frameworks and propose specific review requirements;
- (c) propose any new policy, legal and institutional framework that may be required to implement the policy and regulatory framework for power of mercy, particularly taking the following into account—
 - (i) the existence of any international treaty or convention ratified by Kenya relating to any matter concerning power of mercy;

- (ii) the application of the bill of rights to the policy, legal and institutional framework governing power of mercy, particularly Article 133 of the Constitution;
 - (iii) the values and principles applicable to the policy, legal and institutional frameworks governing power of mercy under the Constitution;
 - (iv) any other principles and values necessary for the policy, legislative and institutional framework governing power of mercy in Kenya;
- (d) prepare quarterly progress reports and submit to the Attorney General;
 - (e) undertake studies and make proposals for the effective execution of the mandate of the Taskforce;
 - (f) sensitize stakeholders and the public on the power of mercy and pardon;
 - (g) undertake stakeholder and public consultation in developing the policy and legislative proposals;
 - (i) collect and collate public views on the effective implementation of Article 133 of the Constitution relating to power of mercy and pardon including oral or written submissions from relevant stakeholders;
 - (j) conduct research or commission studies as may be necessary for the effective execution of its mandate;
 - (k) review the legislative framework relating to exercise of the power of mercy in Kenya and other jurisdictions with best practices;
 - (l) recommend comprehensive amendments to existing legislations to give effect to Article 133 of the Constitution;
 - (m) develop a framework to provide for pardon to Kenyans convicted in other Jurisdictions;
 - (n) framework to provide expunging of the criminal records for the pardoned offenders;
 - (o) develop a prioritized implementation matrix clearly stating the immediate, medium and long-term proposals; and
 - (p) undertake any other activities required for the effective discharge of its mandate.

The deliverable of the Taskforce shall be a draft Power of Mercy Policy and a draft Power of Mercy (Amendment) Bill.

It is in this regard that the Taskforce, pursuant to its Terms of Reference, invite stakeholders and members of the public for a stakeholder's consultation forum to discuss proposed reforms to the Power of Mercy Act, 2011, on the dates and venues specified in the Schedule.

All consultations shall be held between **9.30 a.m.** and **12.30 p.m.** on the specified dates.

S/NO.	COUNTY	VENUE	DATE
1.	Busia	Agricultural Training Institute	Monday 22/03/2021
2.	Kakamega	Kakamega Social Hall	Wednesday 24/03/2021
3.	Trans Nzoia	Kitale Social Hall	Friday 26/03/2021
4.	Uasin Gishu	Eldoret Social Hall	Monday 29/03/2021
5.	Elgeyo Marakwet	Iten Social Hall	Wednesday 31/03/2021
6.	Kisumu	Kisumu Social Hall	Thursday 01/04/2021
7.	Kericho	Kericho Social Hall	Tuesday 06/04/2021
8.	Kisii	Kisii Social Hall	Wednesday 07/04/2021
9.	Homabay	Homabay Social Hall	Friday 09/04/2021
10.	Narok	Narok Social Hall	Monday 12/04/2021
11.	Nakuru	Nakuru Social Hall	Wednesday 14/04/2021
12.	Nyandarua	Ol Kalou Social Hall	Friday 16/04/2021
13.	Nyeri	Nyeri Social Hall	Monday 19/04/2021
14.	Embu	Embu Social Hall	Wednesday 21/04/2021
15.	Meru	Meru Social Hall	Friday 23/04/2021
16.	Isiolo	Isiolo Social Hall	Monday 26/04/2021
17.	Garissa	Garissa Social Hall	Wednesday 28/04/2021
18.	Kitui	Kitui Social Hall	Friday 30/04/2021
19.	Machakos	Machakos Social Hall	Monday 3/05/2021

20.	Taita Taveta	Taita Taveta Social Hall	Wednesday 5/05/2021
21.	Kilifi	Kilifi Social Hall	Friday 7/05/2021
22.	Mombasa	Old Town Social Hall	Monday 10/05/2021
23.	Kajiado	Kajiado Social Hall	Wednesday 12/05/2021
24.	Nairobi	City Hall	Thursday 13/05/2021

Secretariat:

The Secretariat of the Taskforce shall be based at the Power of Mercy Advisory Committee offices, Kencom House, Nairobi.

The public engagement tools can be accessed on the Power of Mercy Advisory Committee's website through the following link: www.powerofmercy.go.ke

Submissions from the public shall be addressed to:

**The Joint Secretaries
Taskforce on Review of the Power of Mercy under
Article 133 of the Constitution
Power of Mercy Advisory Committee
P O Box 79960-00200
NAIROBI**

Or emailed to: sec.pomac@cabinetoffice.go.ke